

To: Mayor and City Council Members
From: Marc Mondell, City Manager
Subject: November 2, 2021 Agenda Items
Date: October 28, 2021

Time Estimates - Time estimates are provided as part of the Council's effort to manage its time at Council meetings. Listed times are estimates only and are subject to change at any time, including while the meeting is in progress. The Council, by consensus, reserves the right to use more or less time on any item, to change the order of items and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public.

5:30 p.m.

I. CALL TO ORDER CLOSED SESSION

II. CITIZEN COMMENTS - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

III. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

(a) 54956.9(d)(2) Conference with Legal Counsel – Anticipated Litigation One (1)
[Submitted by: M. Zamora]

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN CLOSED SESSION

6:00 p.m. (Must begin at time noted)

VII. CALL TO ORDER REDISTRICTING PUBLIC HEARING

VIII. CITIZEN COMMENTS - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

IX. REDISTRICTING PUBLIC HEARING

a. **Public Hearing to receive input from the Community regarding the Redrawing of Election District Boundaries receive a report from staff on the**

redistricting process and permissible criteria to be considered to redraw same. [Submitted by: National Demographics, Corp.]

X. ADJOURN REDISTRICTING PUBLIC HEARING

7:00 p.m. (Or, immediately following Redistricting Public Hearing)

XI. CALL TO ORDER REGULAR SESSION

XII. PLEDGE OF ALLEGIANCE AND INVOCATION

XIII. CITIZEN COMMENTS

This is the time for citizens to comment on subject matters, not on the agenda within the jurisdiction of the Tulare City Council. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight.

This is also the time for citizens to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to general business/city manager items or public hearing items will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment.

*In fairness to all who wish to speak, each speaker will be allowed **three minutes**, with a maximum time of 15 minutes per item, unless otherwise extended by Council. Please begin your comments by stating and spelling your name and providing your city of residence.*

XIV. COMMUNICATIONS [Time Estimate: 7:15 – 7:20 p.m.]

*Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the Agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Citizen comments will be limited to **three minutes**, per topic, unless otherwise extended by Council.*

XV. CONSENT CALENDAR [Time Estimate: 7:20 – 7:30 p.m.]

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

(1) Authorization to read ordinances by title only.

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- (2) **Approve minutes of the October 19, 2021 regular/special meeting(s).** [Submitted by: R. Yoder] The minutes of the October 19, 2021 regular/special meeting(s) are submitted for Council approval. **Staff recommends Council approve as presented.**
- (3) **Adopt Ordinance 2021-03 for a zoning text amendment to Chapters 10.64, 10.72 and 10.76 of Title 10 of the Tulare Municipal Code, in order to add monitored electrified security fences to the list of uses permitted in Industrial zones and to establish design guidelines for use of monitored electrified security fences in Industrial zones.** [Submitted by: T. Myers] On October 19, 2021, the Tulare City Council passed-to-print Ordinance 2021-03, three votes to two (Mayor Mederos and Vice Mayor Sayre voting no). **Staff recommends Council Adopt Ordinance 2021-03 for a zoning text amendment to Chapters 10.64, 10.72 and 10.76 of Title 10 of the Tulare Municipal Code, in order to add monitored electrified security fences to the list of uses permitted in Industrial zones and to establish design guidelines for use of monitored electrified security fences in Industrial zones, as presented.**
- (4) **Adopt Resolution 2021-47 authorizing the Mayor to execute City of Tulare-State of California Freeway Agreement for Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.** [Submitted by: M. Miller] In conjunction with the International AgriCenter Way / State Route 99 Interchange Project, the existing Freeway Agreement between the City and the State of California dated August 6, 2013 must be updated. The current agreement does not identify an interchange facility located at International AgriCenter Way. Exhibit A for the updated agreement that Council is being asked to approve includes the new interchange at this location. Approval of this agreement is necessary for the International AgriCenter Way / State Route 99 Interchange Project to proceed to construction. A copy of the proposed agreement is included with this staff transmittal. **Staff recommends Council adopt Resolution 2021-47 authorizing the Mayor to execute City of Tulare-State of California Freeway Agreement for Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, as presented.**
- (5) **Adopt Resolution 2021-48 authorizing the Mayor and City Manager to execute a Landscape Maintenance Agreement with the State of California for City landscape maintenance district improvements located within the right-of-way of State Routes 63 and 137, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.** [Submitted by: M. Miller] For new residential developments having frontage on State Routes, the City requires the Developer to dedicate common lot areas along said frontage for the purpose of installing landscaping and block walls. In such cases, the improvements associated with these common lot areas extend into the adjacent State right-of-way. To fund the ongoing maintenance of these

improvements, the Developer is required to form a landscape maintenance district (LMD) that provides for the annual levying of assessments to benefitting properties within the development.

Recently, Caltrans staff contacted the City and requested that the City enter into a landscape maintenance agreement with the State documenting the location of City administered LMD's that had improvements that encroached on State right-of-way, and clarifying the City's responsibilities with regard to the maintenance of improvements within their right-of-way. The maintenance responsibilities specified in the agreement are consistent with the level of service already provided by the City through its administration of the LMD's. State Routes identified in the agreement include State Route 63 (Mooney Boulevard north of Tulare Avenue) and State Route 137 (portions of Inyo Avenue, "M" Street, and Tulare Avenue). A copy of the proposed agreement is attached for reference.

Staff recommends Council adopt Resolution 2021-48 authorizing the Mayor and City Manager to execute a Landscape Maintenance Agreement with the State of California for City landscape maintenance district improvements located within the right-of-way of State Routes 63 and 137, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, as presented.

- (6) **Receive the monthly investment report for September 2021. [Submitted by: D. Thompson]** The investment report for the period ending September 2021, is submitted for review and acceptance. **Staff recommends Council receive, review, and file the Monthly Investment Report for September 2021, as presented.**

- (7) **Authorize the transfer of funds from the Fire Radio Replacement CIP fund to purchase 10 Bendix King BKR 5000 radios and accessories, from Vincent Communications, Inc. through Bendix King, CA NASPO contract 7-16-58-15 and will not exceed \$24,510.00. [Submitted by: D. Sewell]** The Tulare Fire Department seeks to replace outdated radios that are 16 years old and do not meet P25 compliance. An application to the Assistance to Firefighter Grant (AFG) for \$178,137 to replace all of the handheld and mobile radio was denied.

The City annually transfers funds to the fire radio replacement account in order to replace radios. Last year the City purchased six BKR 5000 radios using this fund. The purchase of additional 10 radios will provide all of our division chiefs and captains with new radios. In future years, with annual transfers to the replacement fund, City will be able to replace all radios for our engineers, firefighters and apparatus. **Staff recommends Council authorize the transfer of funds from the Fire Radio Replacement CIP fund to purchase 10 Bendix King BKR 5000 radios and accessories, from Vincent Communications, Inc. through Bendix King, CA NASPO contract 7-16-58-15 and will not exceed \$24,510.00, as presented.**

XVI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS [Time Estimate: 7:30 – 7:35 p.m.]

XVII. MAYOR/COUNCIL REPORTS OR ITEMS OF INTEREST – GC 54954.2(a)(3) [Time Estimate: 7:35 – 7:45 p.m.]

XVIII. GENERAL BUSINESS

Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

(1) Engineering: [Time Estimate: 7:45 – 8:30 p.m.]

- a. Provide direction to staff regarding the funding of utility relocation and undergrounding for Project EN0084, a street and utility improvement project on Pleasant Avenue, with staff’s recommendation being the use of CPUC Rule 20B funds. Approve the revised project budget reflecting the use of this funding source. [Submitted by: M. Miller]** Project EN0084 is a City CIP approved and budgeted street and utility improvement project currently under construction on Pleasant Avenue between Cromley Street and H Street. Relocation and undergrounding of the existing overhead utilities are required for construction of the intersection improvements at Pleasant Avenue and West Street.

Beginning in February 2020, the City requested that SCE design the utility undergrounding portion of the project and notified SCE of the City’s intent to utilize California Public Utility Commission Rule 20A work credits. The first three phases of the six phase project are completed and the intersection work requiring the undergrounding of utilities is set to begin in January 2022. However, in June, 2021, SCE notified City staff that they had not designed the undergrounding portion of the construction project in a manner that allows for Rule 20A funds to be used, thus creating an unanticipated funding gap of approximately \$700,000. SCE further noted that any projects utilizing Rule 20A funds typically require a 3-5 year lead time.

Since June, 2021, City staff has pursued parallel paths attempting to both salvage the use of Rule 20A work credits and to identify alternative design or funding options that would address the unexpected \$700,000 shortfall if unsuccessful. However, it is now the reluctant conclusion that SCE will not deviate from their position that Rule 20A program requirements cannot be expedited to meet the City’s project deadlines to underground the utilities at Pleasant Avenue and West Street. As a result, staff requests that the City Council consider alternative funding options to complete the project, as described in the following staff report.

BACKGROUND/EXPLANATION:

Project EN0084 is a street and utility improvement project currently under construction on Pleasant Avenue between Cromley Street and H Street. The project is reconstructing the street section and includes ADA compliance improvements to intersection curb returns, drive approaches and alley/sidewalk intersections that fall within the project limits. Additionally, it addresses necessary water, sewer and storm drain improvements within those limits. The need for the project was identified through the City's Pavement Management System and the review of the condition of the City's utility infrastructure. The project was included and approved as a part of the City's 2017-2022 transportation and utility CIP program budget. Following is a brief synopsis of milestones leading up to project construction:

- June 19, 2018 – City Council approved the award of a design contract for Project EN0084 to Provost & Pritchard Engineering
- June 21, 2018 – BPU approved the award of a design contract for Project EN0084 to Provost & Pritchard Engineering
- July 16, 2019 – A presentation is made to City Council regarding roundabout and traffic signal alternatives for the intersection of Pleasant Avenue and West Street.
- June 18, 2019 – Council provided additional opportunity to receive public testimony regarding the roundabout and traffic signal design alternatives at Pleasant Avenue and West Street. Following discussion, Council gave direction to proceed with setting up the intersection for a future traffic signal installation.
- August 20, 2019 – Council approved a contract amendment with Provost & Pritchard Engineering for additional design services associated with realigning the intersection of Pleasant Avenue and West Street to accommodate a future traffic signal.
- September 5, 2019 – BPU approved contract amendment.
- November 7, 2019, City Council approved a second contract amendment with Provost & Pritchard for additional water and sewer line replacements.
- February 27, 2020 – City staff meet with utility companies (SCE, AT&T, City of Tulare) regarding the project scope. At the meeting, the City's intention to utilize its Rule 20A work credits was discussed.
- February 28, 2020 – An email from City Project Manager, Jim Funk, is sent to the attendees of the meeting held on February 27, 2020, includes SCE's local planner Paul Violet. The email provides written confirmation of the City's intent to utilize the Rule 20A Program to relocate and underground overhead utilities.
- March 16, 2021, City Council held a public hearing regarding the formation of an underground utility district to facilitate the underground relocation of overhead utility lines on West Street at Pleasant Avenue to enable the City to utilize our available SCE Rule 20A work credits. Following the public hearing, Council approved the resolution forming the UUD.
- May 4, 2021, Council awarded contracts for construction, construction surveying, materials testing and construction inspection.

Construction of the project commenced in June of 2021. The project was divided into six work phases. The contractor has completed the first three phases and is currently working on the fourth. Improvements to the intersection of Pleasant Avenue and West Street are included in the sixth (and final) phase, which is anticipated to be completed around April 2022. Relocation and undergrounding of the existing overhead utilities within the UUD formed on March 16, 2021 are required for construction of the intersection improvements.

On February 27, 2020, City staff held a utility coordination meeting with SCE and AT&T in which the project scope and the City's intent to utilize its available work credits through the California Public Utility Commission's Rule 20A Program was discussed. The Rule 20A Program is essentially a utility credit program, a financial program that provides "credits" to a local government. Each utility (i.e., SCE) is given an allotment of credits to distribute to its respective municipalities every year. These Rule 20A credits enable the municipality and utility to work on qualified projects with the utility responsible for the planning, design, and construction aspects of removing overhead infrastructure and placement in an underground trench. The utility is compensated for project costs by collecting the municipality's accumulated credits and including them in subsequent general rate cases so that the electric rates charged to all customers within their service territory will cover the submitted Rule 20A expenses. The City currently has a balance of \$564,518 of Rule 20A work credit accumulated. City staff followed up the February 27th meeting with an email to SCE confirming the meeting's discussions, including the City's intention to utilize the Rule 20A program. For the following 15 months, City staff continued to work with our local SCE planner with the shared understanding that the project was to utilize Rule 20A funds.

On June 3, 2021, City staff was informed that efforts to coordinate the design and construction of the utility relocations through the local SCE office were not in keeping with the requirements for a Rule 20A project, and that in order to be eligible to utilize Rule 20A funds the project would have to go through SCE's Rule 20A Division located in Ventura. Representatives from that Division informed the City that the process typically takes 3-5 years. Recognizing that this would in no way meet the City's timeframe for construction, SCE staff agreed to look into what could be done to expedite the Rule 20A process. In the meantime, the local SCE planner suggested that he could complete a relocation design that would utilize Rule 20B funding as a fallback solution. The Rule 20B program differs in that the City would arrange to have its contractor install underground conduit and vaults, and SCE would come in afterwards to pull their wire and remove overhead lines. The City would be required to identify an alternative funding source to the Rule 20A work credits to pay for the relocation and undergrounding. It is estimated that \$700,000 of funding would be needed, which would come from some combination of Gas Tax revenues or Measure R local discretionary funds.

On September 13, 2021, City staff received confirmation that the expedited timeline that SCE could provide for completing a Rule 20A project would be approximately 11 months: 4-6 months to complete design, 1 month to bid the project, and a four months to complete construction. This clearly will not fit into the City construction schedule.

A thorough review of prior communications between City and SCE staff was conducted in an effort to identify where the process of completing the project under the Rule 20A Program failed. A copy of the findings of that review is attached to this transmittal. Staff's conclusion is that there was significant confusion regarding the requirements of the Rule 20A Program, with a major contributing factor being that SCE's own local planning staff was inadequately informed on the required processes. By the time the City received confirmation of the requirements and program timelines, it was already too late to take corrective actions to meet the project construction schedule.

At this time it is recommended that Council direct staff to abandon efforts to secure Rule 20A work credits for the undergrounding of overhead utilities at the intersection of Pleasant Avenue and West Street and proceed with the project under SCE's Rule 20B program. Staff currently believes that additional funding can be found in the City's existing CIP Program to cover the additional expenditures associated with the loss of Rule 20A work credits without adversely impacting programmed projects. However, any future cost overruns in other programmed projects could change this, resulting delay to one or more of those projects. **Staff recommends Council provide direction to staff regarding the funding of utility relocation and undergrounding for Project EN0084, a street and utility improvement project on Pleasant Avenue, with staff's recommendation being the use of CPUC Rule 20B funds. Approve the revised project budget reflecting the use of this funding source, as requested.**

- b. Receive update regarding the City's Street & Intersection Naming Policy, discuss the potential request to honor former US Olympians from the City of Tulare, and provide direction to staff as appropriate in accordance with the provisions of said policy. [Submitted by: M. Miller]**
- Council directed staff to bring an item for their discussion regarding the City's current policy for the honorary naming of streets and intersections in honor of individuals or organizations that are of particular importance to the City of Tulare or have made significant contributions to improving the quality of life in the City. As part of this discussion, Council members have suggested a potential project for consideration: the naming of the intersection of Tulare Avenue and K Street as "Olympian Square". A copy of the current street & intersection naming policy is attached for reference.

Per the Street & Intersection Naming Policy, the designation of honorary intersections titles shall be through Council Resolution. Individuals and organizations eligible for recognition shall be sponsored by a councilmember, who shall demonstrate that the proposed honoree has sufficient community

support. Evidence of such support includes an affirmative vote of the Planning Commission, written support from community leaders, or citizen petition. Councilmembers are limited to sponsoring two honorary intersection titles per term in office.

To be eligible for recognition with an honorary intersection title, individuals and organizations must meet the following criteria:

- Have performed an exemplary act or achievement of lasting interest to the community, which reflects positively on the City of Tulare as a whole,
- If an individual, is a resident or native of the City or is of particular importance to the City, and
- If an organization, has been in operation for a minimum of 25 consecutive years and has its base of operations in the City or is of particular importance to the City.

The sponsoring councilmember will work with the Community and Economic Development Department in locating an appropriate section of City street or intersection for the honorary intersection title. The intersection or street section shall not exceed one block and not overlap a street section or intersection with another honorary title. Records of the honorary intersection titles are to be maintained by the Community and Economic Development Department.

Funding for the installation of honorary intersection title signs shall be the responsibility of the sponsoring councilmember. The councilmember shall identify, obtain, and make such funds available to the Community and Economic Development Department.

Regarding the proposed naming of the intersection of Tulare Avenue and K Street as "Olympian Square", Council should confirm that the proposal adequately meets the Street Naming Policy's stated intention of honoring an individual or organization. In this case, the intent is to honor multiple individuals who have represented the City and nation by competing in the Olympic Games. In accordance with the Street Naming Policy; the following next steps are required:

1. A sponsoring councilmember should be identified,
2. The sponsoring councilmember should provide evidence of community support for the honorary designation, or Council should otherwise make the determination that a majority vote in favor of the designation serves as sufficient evidence,
3. The sponsoring councilmember should identify funding for the installation of honorary intersection title signs, and verify availability of such funds should the honorary designation be approved, and
4. The sponsoring councilmember should request that a Resolution approving the honorary naming of the intersection be placed on a future Council agenda.

Staff recommends Council receive update regarding the City's Street & Intersection Naming Policy, discuss the potential request to honor former US Olympians from the City of Tulare, and provide direction to staff as appropriate in accordance with the provisions of said policy, as requested.

XIX. STAFF UPDATES AND FUTURE AGENDA ITEMS – GC 54954.2(a)(3) [Time Estimate: 8:30 – 8:45 p.m.]

XX. ADJOURN REGULAR SESSION



City of Tulare

Introduction to Redistricting

November 2, 2021

Dr. Jeff Tilton, Senior Consultant
National Demographics Corporation

Redistricting Process

Step	Description
Initial Hearings May 4, July 20, November 2	<ul style="list-style-type: none">• Held prior to release of draft maps• Educate, solicit input on the communities in the Districts
Census Data Releases	<ul style="list-style-type: none">• Census Bureau releases official 2020 Census population data – Aug. 12• California’s official ‘prisoner-adjusted’ 2020 redistricting data – Sept. 20, 27
Draft Map Hearing January 18, 2022	<ul style="list-style-type: none">• Discuss and revise the draft maps; discuss the election sequence• Deadline to submit draft maps: January 3, 2022, 5 p.m.
Draft Map Hearing February 22, 2022	<ul style="list-style-type: none">• Discuss final map; discuss and determine the election sequence• Deadline to submit draft maps: February 7, 2022, 5 p.m.• Maps posted to website: February 14, 2022, 5 p.m.

Redistricting Rules and Goals

1. Federal Laws

Equal Population

Federal Voting Rights Act

No Racial Gerrymandering

2. California Criteria for Cities

- 1. Geographically contiguous**
- 2. Undivided neighborhoods and “communities of interest”**
(Socio-economic geographic areas that should be kept together)
- 3. Easily identifiable boundaries**
- 4. Compact**
(Do not bypass one group of people to get to a more distant group of people)

Prohibited: “Shall not favor or discriminate against a political party.”

3. Other Traditional Redistricting Principles

Minimize voters shifted to different election years

Respect voters’ choices / continuity in office

Future population growth

Preserving the core of existing districts

2020 Census

City of Tulare - Current Plan

Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	13,648	12,350	13,339	12,824	17,039	69,200
	Population Deviation	-192	-1,490	-501	-1,016	3,199	4,689
	Pct. Deviation	-1.39%	-10.77%	-3.62%	-7.34%	23.11%	33.88%
Total Pop.	Hispanic/Latino	80%	78%	66%	49%	48%	63%
	NH White	13%	15%	27%	42%	40%	28%
	NH Black	3%	3%	3%	3%	3%	3%
	NH Asian/Pac.Isl.	2%	2%	2%	3%	7%	4%
	NH Native Amer.	1%	1%	1%	2%	2%	1%
Citizen Voting Age Pop	Total	5,759	5,478	6,869	8,491	7,758	34,354
	Hisp	64%	65%	61%	38%	40%	52%
	NH White	26%	25%	33%	53%	51%	40%
	NH Black	5%	7%	2%	4%	3%	4%
	Asian/Pac.Isl.	5%	3%	3%	5%	6%	4%
	Native Amer.	0%	1%	2%	2%	2%	2%

Defining Neighborhoods

1st Question: What is your neighborhood?

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

- § Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills
- § Areas around parks or schools
- § Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.

Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

- § Geographic Area, plus
- § Shared issue or characteristic
 - § Shared social or economic interest
 - § Impacted by city policies
- § Tell us “your community’s story”

2nd Question: Would this community benefit from being “included within a single district for purposes of its effective and fair representation”?

- § Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may not include relationships with political parties, incumbents, or political candidates.

Possible Neighborhoods / Communities

Public Mapping and Map Review Tools

- § Different tools for different purposes

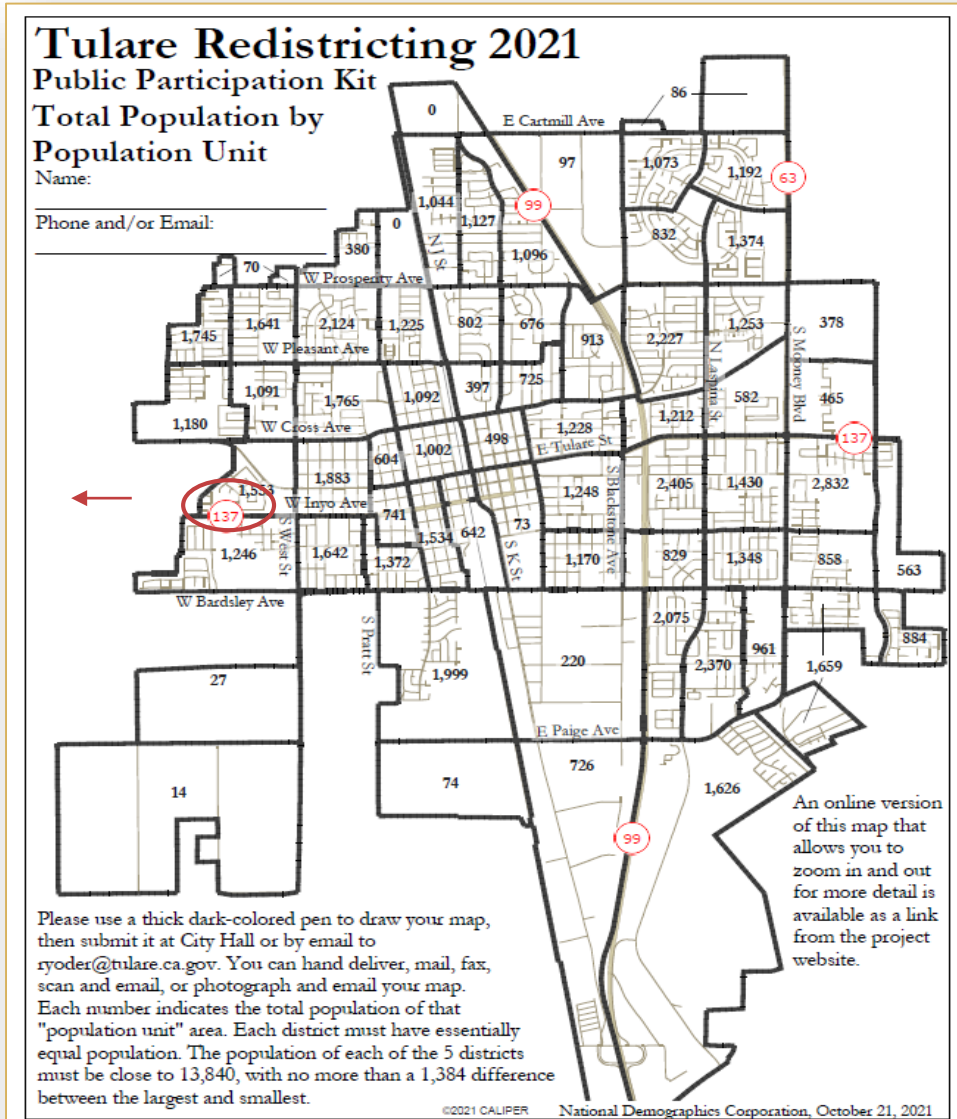
- § Different tools for different levels of technical skill and interest
 - § Simple “review draft maps” tool
 - § Easy-to-use “Draw your neighborhood” tool
 - § Paper- and Excel-based simple “Draw a draft map” tools
 - § **NEW OPTION:** Submit via your own mapping software

Whether you use your own mapping tool, Excel, the paper kit, or just draw on a napkin, **we welcome your maps!**

Simple Map Drawing Tool

Paper “Public Participation Kit”

- § For those without internet access or who prefer paper
- § Total Population Counts only – no demographic numbers



Simple Map Drawing Tool + Excel Supplement

“Public Participation Kit”

- § For those who know Excel and do not wish to use online tools
- § Adds CVAP data
- § Excel does the math

Tulare Redistricting 2021

Public Participation Kit

Total Population
by ID Number

Name: _____

Phone and/or Email: _____

AutoSave Lake Forest 5-district Kit_ENG.xlsx

File Home Insert Page Layout Formulas Data Review View Help Acrobat

Clipboard Font Alignment Number

Total Population										Young Age Population					Census Young Age Population					Nov. 2014 Registration					
District	Pop. Total	Pop. Hisp	Pop. Wht	Pop. Blk	Pop. NH	Pop. NH Asia	Pop. total	Pop. Hisp	Pop. Wht	Pop. Blk	Pop. NH	Pop. NH Asia	Pop. tot	Pop. Hisp	Pop. Wht	Pop. Blk	Pop. NH	Pop. NH Asia	tot	latine	ans	fil	tot	latine	
1	1,216	612	557	18	15	873	397	442	12	831	390	441	0	0	574	195	-	-	245	63	-	-	-	-	
2	2,387	1,128	1,053	43	96	1,781	741	899	74	1,918	720	1,140	0	48	1,299	435	14	7	353	140	6	3	21	21	
3	1,643	1,260	278	42	25	1,006	741	236	15	400	235	145	0	20	365	256	3	4	161	73	1	1	1	1	
4	1,765	734	855	62	84	1,272	464	685	62	1,231	461	639	19	111	1,022	566	11	11	391	89	0	0	0	0	
5	2,001	209	1,655	14	79	1,639	144	1,392	64	1,511	88	1,327	12	38	1,776	146	46	7	1,089	67	21	2	2	2	
6	612	56	499	4	39	517	37	440	26	471	22	423	3	15	525	38	15	2	327	18	9	1	1	1	
7	1,725	1,165	441	55	14	1,142	742	474	16	564	112	444	4	4	444	144	4	4	444	144	4	4	4	4	4

Search

Home

Clipboard Font Alignment Number

Conditional Formatting

Formulas

Table

Sheet1: District Assigned

City of San Bernardino 2017 Public Participation Kit

enter your name here

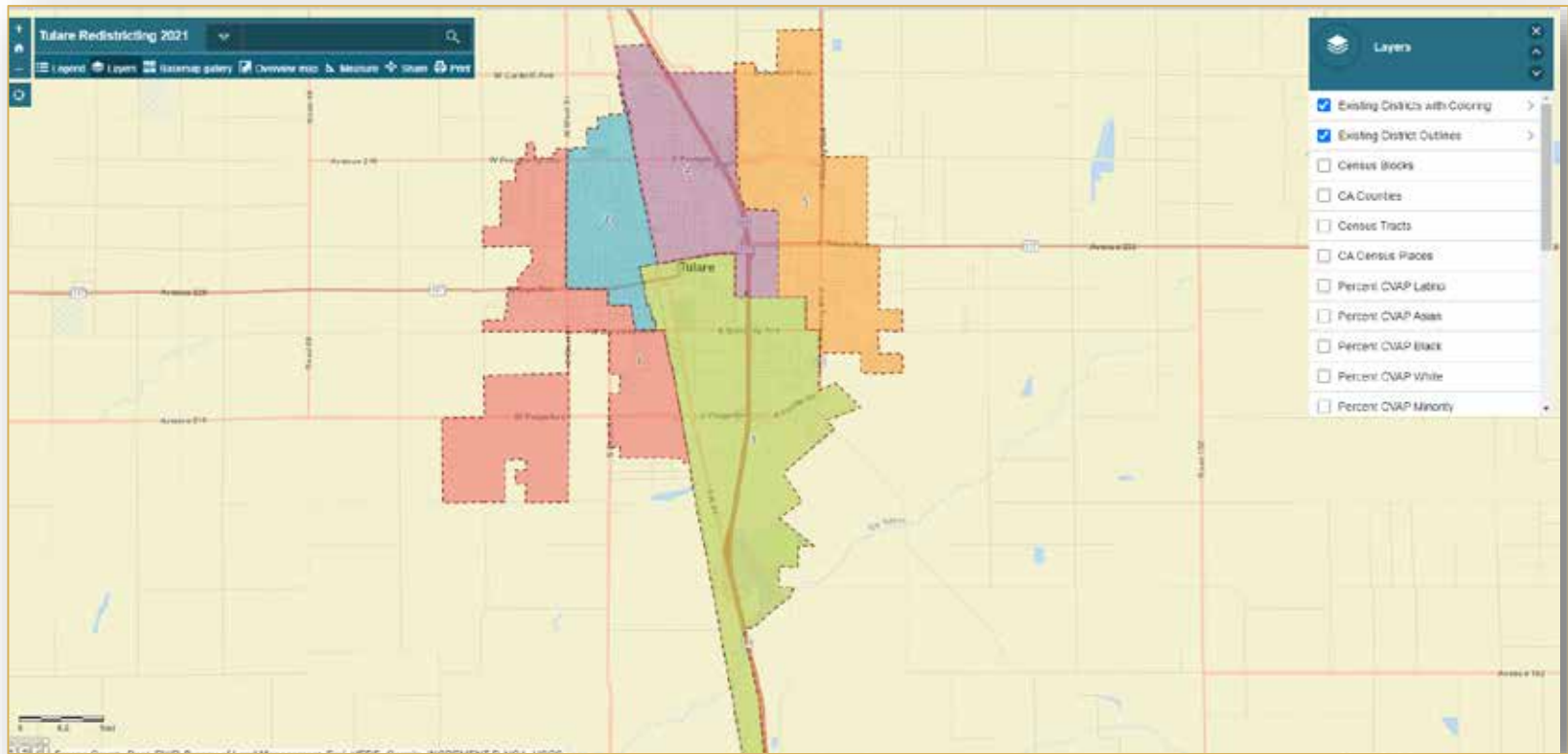
County	Category	Counts					Unassigned	Total	Percentages								Unassigned	Total						
		1	2	3	4	5			1	2	3	4	5											
Total Pop.	Total Pop.	11,014	11,014	11,014	11,014	11,014	11,014	11,014	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Total Population	Pop.	11,014	11,014	11,014	11,014	11,014	11,014	11,014	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Population	Pop His	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Population	Pop Wht	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Population	Pop Blk	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Population	Pop NH	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Population	Pop NH Asia	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Population	Pop Tot	11,014	11,014	11,014	11,014	11,014	11,014	11,014	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Submitter's Comments about the plan:

14 characters max

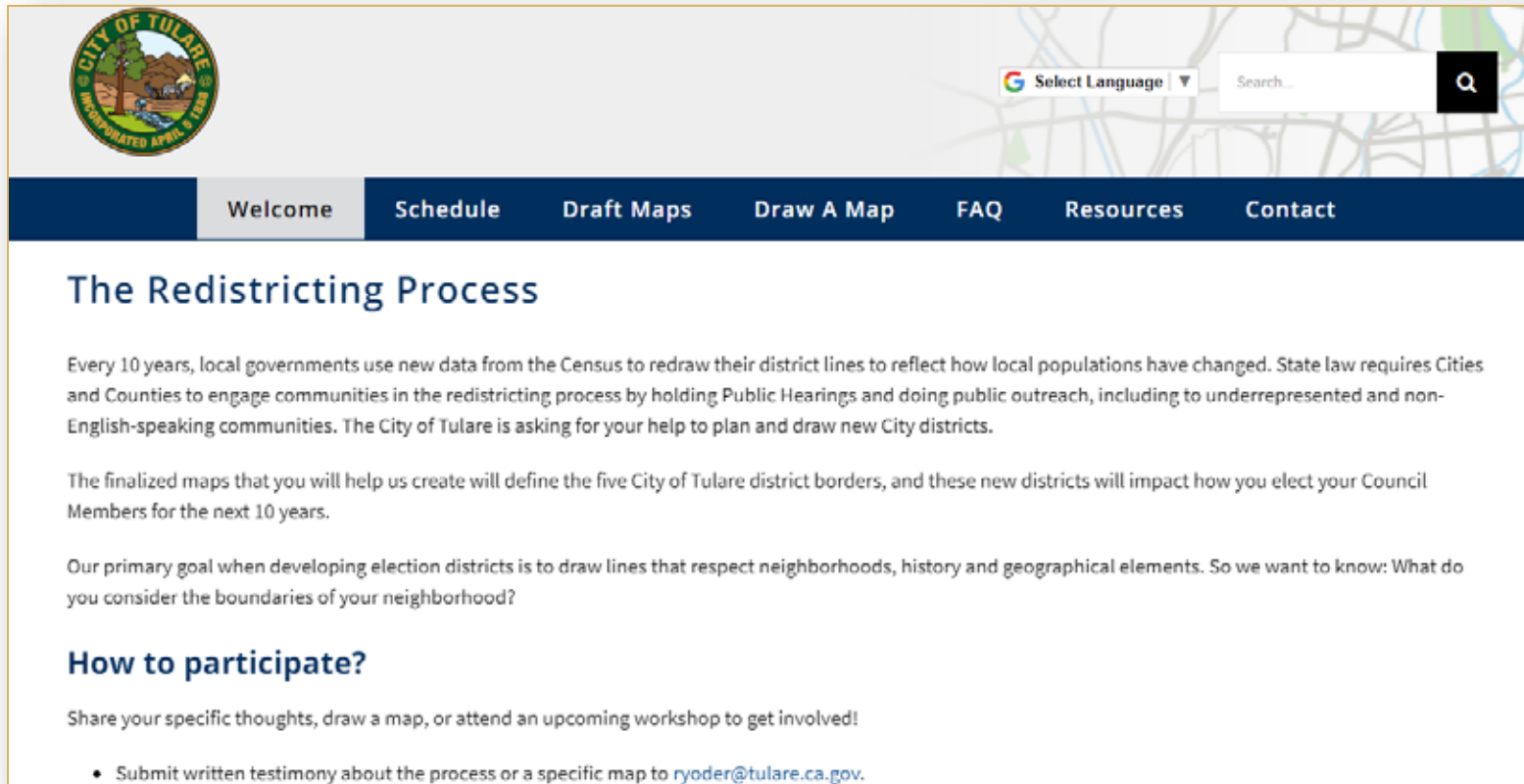
Please use a thick
then submit it at
ryoder@tulare.ca
scan and email, o

Interactive Map Review Tool



drawtulare.org/draw-a-map

Share Your Thoughts



The screenshot shows the City of Tulare website. At the top left is the City of Tulare logo, which includes the text 'CITY OF TULARE' and 'INCORPORATED APRIL 9, 1850'. To the right of the logo is a 'Select Language' dropdown menu and a search bar with a magnifying glass icon. Below the header is a dark blue navigation bar with white text for 'Welcome', 'Schedule', 'Draft Maps', 'Draw A Map', 'FAQ', 'Resources', and 'Contact'. The main content area has a white background with a blue heading 'The Redistricting Process'. The text below the heading explains that every 10 years, local governments use new data from the Census to redraw their district lines. It states that the City of Tulare is asking for help to plan and draw new City districts. The text further explains that the finalized maps will define the five City of Tulare district borders and that the new districts will impact how Council Members are elected for the next 10 years. It also mentions the primary goal is to draw lines that respect neighborhoods, history, and geographical elements. A section titled 'How to participate?' follows, with the instruction to share thoughts, draw a map, or attend a workshop. A bullet point at the bottom of the page instructs users to submit written testimony to ryoder@tulare.ca.gov.

Website: DrawTulare.org | **Phone:** 559.684.4200 | **Email:** ryoder@tulare.ca.gov

Public Hearing & Discussion

What is your neighborhood and what are its boundaries?

What other notable areas are in the City, and what are their boundaries?

Any questions about the mapping tools?

Council Discussion:

- n “neighborhoods”
- n “communities of interest”

City of Tulare - Current Plan

Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	13,648	12,350	13,339	12,824	17,039	69,200
	Population Deviation	-192	-1,490	-501	-1,016	3,199	4,689
	Pct. Deviation	-1.39%	-10.77%	-3.62%	-7.34%	23.11%	33.88%
Total Pop.	Hispanic/Latino	80%	78%	66%	49%	48%	63%
	NH White	13%	15%	27%	42%	40%	28%
	NH Black	3%	3%	3%	3%	3%	3%
	NH Asian/Pac.Isl.	2%	2%	2%	3%	7%	4%
	NH Native Amer.	1%	1%	1%	2%	2%	1%
Citizen Voting Age Pop	Total	5,759	5,478	6,869	8,491	7,758	34,354
	Hisp	64%	65%	61%	38%	40%	52%
	NH White	26%	25%	33%	53%	51%	40%
	NH Black	5%	7%	2%	4%	3%	4%
	Asian/Pac.Isl.	5%	3%	3%	5%	6%	4%
	Native Amer.	0%	1%	2%	2%	2%	2%
Voter Registration (Nov 2020)	Total	4,786	4,039	5,425	6,203	9,343	29,796
	Latino est.	68%	64%	54%	36%	42%	50%
	Spanish-Surnamed	63%	60%	50%	34%	38%	46%
	Asian-Surnamed	1%	1%	1%	1%	3%	2%
	Filipino-Surnamed	1%	1%	2%	2%	2%	2%
	NH White est.	31%	33%	46%	63%	55%	49%
	NH Black	4%	5%	2%	3%	3%	3%
Voter Turnout (Nov 2020)	Total	2,941	2,459	3,719	4,717	7,449	21,285
	Latino est.	64%	59%	50%	31%	39%	45%
	Spanish-Surnamed	60%	55%	47%	30%	36%	42%
	Asian-Surnamed	1%	1%	1%	1%	3%	2%
	Filipino-Surnamed	1%	1%	2%	2%	2%	2%
	NH White est.	31%	33%	46%	63%	55%	49%
	NH Black	4%	5%	2%	3%	3%	3%
Voter Turnout (Nov 2018)	Total	1,759	1,472	2,319	3,293	4,410	13,253
	Latino est.	62%	54%	44%	25%	33%	39%
	Spanish-Surnamed	59%	52%	42%	24%	31%	37%
	Asian-Surnamed	1%	1%	1%	2%	3%	2%
	Filipino-Surnamed	1%	1%	2%	2%	3%	2%
	NH White est.	31%	36%	50%	68%	59%	53%
NH Black est.	3%	6%	2%	3%	2%	3%	
Age	age0-19	39%	40%	38%	29%	37%	36%
	age20-60	53%	50%	51%	51%	48%	51%
	age60plus	8%	10%	11%	21%	14%	13%
Immigration	immigrants	27%	24%	19%	10%	15%	19%
	naturalized	28%	19%	32%	45%	52%	32%
Language spoken at home	english	37%	45%	51%	74%	67%	55%
	spanish	59%	52%	47%	22%	27%	41%
	asian-lang	2%	0%	0%	1%	2%	1%
	other lang	2%	3%	2%	3%	4%	3%
Language Fluency	Speaks Eng. "Less than Very Well"	37%	35%	25%	12%	13%	24%
Education (among those age 25+)	hs-grad	54%	53%	55%	63%	53%	56%
	bachelor	4%	5%	7%	11%	12%	8%
	graduatedegree	1%	1%	1%	3%	7%	3%
Child in Household	child-under18	58%	57%	54%	38%	48%	50%
Pct of Pop. Age 16+	employed	61%	59%	62%	56%	65%	61%
Household Income	income 0-25k	26%	29%	20%	21%	8%	20%
	income 25-50k	26%	33%	32%	24%	18%	26%
	income 50-75k	20%	17%	20%	19%	22%	20%
	income 75-200k	27%	20%	27%	32%	45%	31%
	income 200k-plus	0%	0%	1%	5%	7%	3%
Housing Stats	single family	86%	76%	86%	81%	93%	85%
	multi-family	14%	24%	14%	19%	7%	15%
	rented	49%	58%	50%	42%	28%	44%
	owned	51%	42%	50%	58%	72%	56%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

**ACTION MINUTES OF TULARE
CITY COUNCIL, CITY OF TULARE**

October 19, 2021

A Study Session of the City Council, City of Tulare was held on Tuesday, October 19, 2021, at 6:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.

COUNCIL PRESENT: Dennis A. Mederos, Terry A. Sayre, Jose Sigala, Stephen C. Harrell, Patrick Isherwood

STAFF PRESENT: Marc Mondell, Josh McDonnell, Mario Zamora, Matt Machado, Doyle Sewell^{6:33 p.m.}, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Jason Glick, Jason Bowling, Ken Wales, Nick Bartsch, Roxanne Yoder

6:00 p.m.

I. CALL TO ORDER STUDY SESSION

Mayor Mederos called the Study Session to order at 6:02 p.m.

II. CITIZEN COMMENTS - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

There were no public comments.

III. STUDY SESSION

- a. **American Rescue Plan Act Funding review, discussion and receive direction. [Submitted by: M. Mondell]** City Manager Marc Mondell provided a PowerPoint presentation on the American Rescue Plan Act Funding highlighting staff's recommendations as they relate to funding guidelines regarding the expenditure of same.

Following the presentation, Council offered comments and thanked staff for their work.

Council Member Isherwood asked staff to look into the County's contribution toward homelessness.

Council Member Sigala inquired as to the City's homelessness set aside funds and asked how leveraging those along with the County's and the proposed ARPA recommendation by staff may be used. He further noted that some of the proposed projects appear to have been part of the CIP adopted by Council and would like to see those items remain under the CIP. Council Member Sigala further inquired as to how the pool recommendation made it to the list. Lastly, he would like to see essential worker bonuses as a priority.

Mayor Mederos requested staff to evaluate what other agencies are doing to avoid duplication of efforts.

Informational item only, no action requested or taken.

IV. ADJOURN STUDY SESSION

Mayor Mederos adjourned the Study Session at 7:09 p.m.

A Regular Session of the City Council, City of Tulare was held on Tuesday, October 19, 2021, at 7:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.

COUNCIL PRESENT: Dennis A. Mederos, Terry A. Sayre, Jose Sigala, Stephen C. Harrell, Patrick Isherwood

STAFF PRESENT: Marc Mondell, Josh McDonnell, Mario Zamora, Matt Machado, Doyle Sewell, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Jason Glick, Jason Bowling, Ken Wales, Nick Bartsch, Roxanne Yoder

V. CALL TO ORDER REGULAR SESSION

Mayor Mederos called the Special Session to order at 7:25 p.m.

VI. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Mederos led the Pledge of Allegiance and an invocation was led by Pastor Susan Henard, River Valley Church.

VII. CITIZEN COMMENTS

Mayor Mederos requested those who wish to speak on matters not on the agenda within the jurisdiction of the Council, or to address or request a matter be pulled from the Consent Calendar to do so at this time. He further stated comments related to General Business matters would be heard at the time that matter is addressed on the agenda.

Megan Ferreira Lausten, Director of Marketing and Events for the Tulare Chamber of Commerce, provided an update on Chamber activities.

Janet LeBaron welcomed Marc Mondell and indicated that she and her husband, Don, would like to meet with him to discuss downtown/community history.

John Harmon, Tulare Downtown Association, addressed the Council regarding upcoming events.

VIII. COMMUNICATIONS

There were no items for this section of the agenda.

IX. CONSENT CALENDAR

It was moved by Council Member Harrell, seconded by Council Member Sigala, and unanimously carried that the items on the Consent Calendar be approved as presented.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of October 5, 2021 special/regular meeting(s). [Submitted by: R. Yoder]**
- (3) **Approve updates to administrative policy Legislative Guiding Principles and Priorities. [Submitted by: M. Hermann]** Council Member Sigala pulled the item for clarification on the process moving forward. With no further comment it was moved by Council Member Sigala, seconded by Vice Mayor Sayre and unanimously carried to approve the item as presented.
- (4) **Authorize the City Manager to enter into consultant professional service agreements, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with BPR Consulting Group of El Dorado Hills, CA for a period of up to two years. [Submitted by: M. Miller]** Council Member Sigala pulled the item for comment. Following Mr. Sigala's comments it was moved by Council Member Sigala, seconded by Council Member Harrell and unanimously carried to approve the item as presented.
- (5) **Acceptance of the following easement associated with Phase 3 of the Kensington Estates subdivision located on the northwest corner of Mooney Boulevard and Cartmill Avenue, and authorize the City Manager or his designee to sign the Certificates of Acceptance for the same:**
 - i. **A Grant of Easement for Storm Drain pipeline across Parcel A of LLA No. 263, per the City of Tulare Parcel Map Committee's Approval Resolution No. 835, recorded September 2, 2021 as Doc. No. 2021-0064584, Tulare County Records, from Encinas Norte, LLC, a California limited liability company, F & C Farming, LLC, a California limited liability company, Rodney D. Dir Revocable Trust of July 13, 2001, and Central Valley Land Company, LLC, a California limited liability company. [Submitted by: M. Miller]**
- (6) **Authorize the Mayor to sign a letter to the Tulare County Resource Management Agency regarding traffic concerns along the West Street corridor north of Prosperity Avenue. [Submitted by: M. Miller]** Mayor Mederos pulled the item to request a minor amendment to include the following language:

“Additionally, it is recommended that the County consider the following measures:

- Conduct a traffic signal study and roundabout warrant study for the intersection...”

Additionally, staff was directed to update the cc line at the close of the letter to include County Supervisor Pete VanderPoel, County CEO Jason Britt and TCAG Director Ted Smalley. With no further discussion, it was moved by Mayor Mederos, seconded by Vice Mayor Sayre, and unanimously carried to approve the item as presented.

- (7) **Authorize the City Manager to execute an agreement with Gillig, LLC of Livermore, CA to purchase 4 – 35’ buses (Livermore Amador Valley Transit Authority RFP#2015-08) for approximately \$615,000 per bus. [Submitted by: D. Thompson]**
- (8) **Approve Tulare Public Library’s annual participation in the national campaign, “Food for Fines,” which allows customers to reduce their late fines by donating food and new coats to local agencies like the Tulare Emergency Aid Council. [Submitted by: J. Glick]**
- (9) **Authorize the Mayor to execute on behalf of the City Council a Letter of Support on Water Infrastructure Funding Act of 2022. [Submitted by: T. Whitfield]** Mayor Mederos pulled the item to highlight. With no further discussion, it was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to approve the item as presented.
- (10) **Award and authorize the City Manager to sign a contract with Pros Consulting in the amount of \$99,945.00 for Project PK2021-002 – Tulare Parks and Recreation Master Plan and Needs Assessment. [Submitted by: J. Glick]**

X. SCHEDULED PRESENTATIONS

- (1) **Tulare County Association of Governments 2022 Regional Transportation/Sustainable Communities Strategy presentation.** Item was trailed due to absence of presenter.
- (2) **Proclamation presentation in recognition of Support Your Local Chamber Day.** Mayor Mederos presented Chamber representatives a Proclamation in recognition of Support Your Local Chamber Day.
- (3) **Proclamation presentation in recognition of World Polio Day.** Mayor Mederos presented Rotary representatives a Proclamation in recognition of World Polio Day.

- (4) **Community & Economic Development Update.** Community & Economic Development Director Traci Myers provided a PowerPoint presentation updating the Council on economic development projects in the City of Tulare. Questions and comments posed by Council addressed by staff.

XI. MAYOR/COUNCIL REPORTS OR ITEMS OF INTEREST – G.C. 54954.2(c)

XII. GENERAL BUSINESS

Comments related to General Business items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

(1) Public Hearing:

- a. **Public Hearing to Pass-to-Print Ordinance 2021-03 for a zoning text amendment to Chapters 10.64, 10.72 and 10.76 of Title 10 of the Tulare Municipal Code, in order to add monitored electrified security fences to the list of uses permitted in Industrial zones and to establish design guidelines for use of monitored electrified security fences in Industrial zones. [Submitted by: T. Myers]** Community & Economic Development Director Traci Myers provided a PowerPoint presentation for the Council's review and consideration. Mayor Mederos opened the public hearing at 8:27 p.m. Keith Kaneko of Amarak, on behalf of Knight Transportation, addressed the Council in support of the Ordinance with suggested modifications for use in commercial areas. Jason Bender addressed the Council in support of the Ordinance and the proposed modifications requested by Mr. Kaneko. Mayor Mederos closed the public hearing at 8:33 p.m. Questions and comments posed by Council were addressed by staff. City Manager Mondell suggested that Council consider the Ordinance as presented and review the request for commercial at a later time. Following discussion and comments, it was moved by Council Member Sigala to pass-to-print Ordinance 2021-03, as amended, under 10.76.030(3)(c) to require outside perimeter fencing at a minimum of six feet, it was seconded by Council Member Isherwood, further amending to apply that condition on new fencing only, and passed 3 to 2 (Vice Mayor Sayre and Mayor Mederos voting no.) Chief Deputy City Clerk Yoder requested clarification of the further amended motion, Council concurred that was their understanding. City Attorney Zamora indicated the motion as amended and clarified is sufficient to proceed.
- b. **Public hearing to adopt Resolution 2021-44 approving the City of Tulare 2020 Urban Water Management Plan (UWMP) and the City of Tulare Water Shortage Contingency Plan (WSCP). [Submitted by: A. Bettencourt]** Management Analyst Andrew Bettencourt introduced Consultant Heather Bashian of Provost & Prichard, who provided a PowerPoint presentation for the Council's review and consideration. Mayor Mederos opened the public hearing at 9:16 p.m. Receiving no public comment, the public hearing was at 9:16 p.m. Following discussion, it was

moved by Vice Mayor Sayre, seconded by Mayor Mederos, and unanimously carried to adopt Resolution 2021-44 as presented.

(2) City Attorney:

- a. **Discussion and possible adoption of Resolution 2021-46 to comply with the requirements set forth in Assembly Bill 361 and Government Code Section 54953(e)(3). If the City Council does not wish to proceed with teleconferencing, then no action is required.** City Attorney Zamora provided a report for the Council's review and consideration. Following discussion, the matter died for lack of a motion. It was noted, however, that following a qualifying incident, staff can bring a Resolution back to Council to act upon retroactively within 30 days of same.

XIII. STAFF UPDATES AND FUTURE AGENDA ITEMS – G.C. 54954.2(c)

Council Member Harrell commented on the Fireworks Ordinance.

Council Member Sigala inquired on a presentation from the City Attorney's Office on a Cannabis Sales Tax Measure which the Council concurred. He also requested staff schedule the ARPA public hearings and an update on the Corp Yard transit operations.

Vice Mayor Sayre inquired as to the status of her request for information on the parking ordinance and inoperable vehicles.

Mayor Mederos inquired as to the status of the Park Ordinance so he may review.

Lastly, it was the consensus of Council for staff to schedule a joint meeting of the Council and Board of Public Utilities for a presentation by Aaron Fukuda, General Manager of the Tulare Irrigation District.

XIV. ADJOURN REGULAR SESSION

Mayor Mederos adjourned the regular session at 9:46 p.m.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare

ORDINANCE 2021-03

AN ORDINANCE OF THE COUNCIL OF THE CITY OF TULARE REVISING CHAPTERS 10.64; 10.68; 10.72; AND 10.76 OF TITLE 10 OF THE MUNICIPAL CODE TO ADD MONITORED ELECTRIFIED SECURITY FENCES TO THE LIST OF USES PERMITTED IN INDUSTRIAL ZONES AND ESTABLISH DESIGN GUIDELINES FOR USE OF MONITORED ELECTRIFIED SECURITY FENCES IN INDUSTRIAL ZONES.

The City Council of the City of Tulare, State of California, ordains as follows:

WHEREAS, To protect the public health, safety, and welfare, it is the desire of the City Council of the City of Tulare to modify Zoning Ordinance Chapters 10.64; 10.68; 10.72; and 10.76 in order to add monitored electrified security fences to the list of uses permitted in Industrial (10.64) zone districts; and

WHEREAS, The City Council of the City of Tulare determined that the proposed amendments are in the public interest; and

WHEREAS, The City Council of the City of Tulare determined the proposed action will promote the goals and objectives of the Zoning Title as prescribed in the Tulare City Code; and

WHEREAS, The City Council of the City of Tulare determined that the proposed amendment will not be detrimental to the public health, safety, and welfare or be materially injurious to properties or improvements in the vicinity; and

WHEREAS, At a duly noticed public hearing on September 27, 2021, the Planning Commission of the City of Tulare reviewed and recommended that the City Council revise Chapters 10.64; 10.68; 10.72; and 10.76 of Title 10 of the Tulare Municipal Code; and

WHEREAS, The Zoning Ordinance Amendment is exempt from Environmental Review under the California Environmental Quality Act (CEQA), pursuant to Section 15303(e).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TULARE, CALIFORNIA AS FOLLOWS:

SECTION I: Chapter 10.64 of Title 10 of the Tulare Municipal Code is revised to now read as follows:

CHAPTER 10.64: PERMITTED AND CONDITIONAL USES IN INDUSTRIAL ZONES

Section

10.64.010 Purposes.

10.64.020 Definitions.

10.64.030 Permitted and conditional uses.

§ 10.64.010 Purposes.

The purpose of this chapter is to list uses that are permitted and uses that are subject to a conditional use permit in Tulare’s industrial zone districts, M-1 and M-2.

§ 10.64.020 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATIVE APPROVAL. Administrative approvals may be granted to those minor planning requests that involve accessory structures, classifications of uses, and other minor planning requests, that can be approved by the Planning and Building Director.

CONDITIONAL USE PERMIT. A conditional use permit is a special type of land use permit required for those uses which may have the potential to impact the surrounding neighborhood. **CONDITIONAL USE PERMITS** are considered by the Planning Commission at a public hearing.

SITE PLAN REVIEW. A type of land use permit review process undertaken by staff from various city departments which ensures that a proposed development is in conformance with the standards of the Zoning title and policies of the Tulare General Plan.

§ 10.64.030 Permitted and conditional uses.

Table 19-1 illustrates which zone or zones are appropriate for the use in question and whether there are special procedures or standards for which compliance is required. The following will be added to Table 19-1:

Table 19-1 Industrial Zones Permitted/Conditional Uses

	<i>Use</i>	<i>Zone</i>	
		<i>M-1</i>	<i>M-2</i>
n.	Monitored electrified security fences	A	A

SECTION II: Chapter 10.68 of Title 10 the Tulare Municipal Code is revised to now read as follows:

CHAPTER 10.68: LIGHT INDUSTRIAL DISTRICT

Section

10.68.010 Purposes.

10.68.020 Objectives.

10.68.030 Permitted and conditionally permitted uses.

10.68.040 Development standards.

10.68.050 Design guidelines.

§ 10.68.010 Purposes.

The purpose of the Light Industrial (M-1) District is to provide locations for light industrial and heavy commercial types of activities; protect industrial areas from the intrusion of incompatible types of land uses; adhere to performance standards provided for the protection of Tulare residents and the environment, and to provide industrial employment opportunities for residents of the City of Tulare.

§ 10.68.020 Objectives.

The objectives of the M-1 District are:

The development of a variety of light industrial and service commercial and service uses, which are not suited to other commercial zones, in buildings and complexes that exhibit high standards of design, including:

- (A) Industrial buildings and complexes which include generous amounts of landscaping, and buildings that complement one another with tasteful design features;
- (B) Outdoor storage of materials and outdoor repair activities conducted in screened areas;
- (C) To ensure that commercial buildings are designed in a manner which minimizes the impact to adjacent non-industrial uses through sensitive design that considers the impacts of noise, traffic and lighting sources; and
- (D) To minimize traffic congestion, while providing an efficient circulation system.

§ 10.68.030 Permitted and conditionally permitted uses.

See Table 19-1 for a list of permitted and conditionally permitted uses in the M-1 Zone.

§ 10.68.040 Development standards.

- (A) Site area: the minimum parcel area is 10,000 square feet, except for city water well sites, which shall have a minimum parcel size of 1,000 square feet.
- (B) Width and depth:
 - (1) Width: 80 feet, minimum.
 - (2) Depth: no requirement.
- (C) Lot coverage: 75%, maximum.
- (D) Front yard: ten feet, minimum.

(E) Side yard: none, unless the site abuts a residentially zoned parcel in which case the setback shall be ten feet.

(F) Rear yard: none, Unless the site abuts a residentially zoned parcel in which case the setback shall be ten feet.

(G) Distance between structures: no requirement.

(H) Building height: 75 feet maximum. Accessory structures up to a height of 120 feet may be permitted by conditional use permit (see Chapter 10.116, Conditional Use Permits).

(I) Fences, walls and hedges:

(1) Where an industrially-zoned site adjoins a site that is residentially zoned, a minimum seven-foot tall solid wall shall separate the industrial development from the adjoining residential district.

(2) The outdoor storage of equipment or materials shall be screened from view with a seven-foot tall solid fence, wall or chain-link fence with slats and landscaping.

(3) Monitored electrified security fences may be allowed, subject to administrative approval and the design guidelines set forth in Chapter 10.76.

(J) Off-street parking and loading facilities: off-street parking and loading facilities shall be provided for each use as required in Chapter 10.192, Parking and Loading.

(K) Signs: signs shall be designed consistent with the requirements contained in Chapter 10.188, Signs.

(L) Public improvements: new development may be required to install public infrastructure necessary to adequately serve the project, based on requirements of the City Engineer, including sewer, water and storm drainage lines, curbs, gutters and sidewalks, street paving, street lighting and trash enclosures. These improvements shall be constructed consistent with requirements shown in the City of Tulare Standards and Specifications Manual and shall be installed prior to occupancy of any structures on the site.

(M) Traffic safety sight area: on corner lots, no fence, wall, hedge, sign or building, shrubbery, mounds of earth or other visual obstruction over 36 inches in height above the nearest street curb elevation shall be erected, placed, planted, or allowed to grow within the traffic safety sight area. The foregoing provision shall not apply to public utility poles; trees trimmed (to the truck) to a line at least six feet above the level of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; supporting members of appurtenances to permanent buildings existing on the date this title becomes effective; official warning signs or

signals; freestanding pole signs where the post does not exceed 12 inches in diameter and the bottom of the sign board is at least six feet above the level of the intersection.

(N) Landscaping: landscaping shall be required in accordance with Chapter 10.196, Landscaping.

§ 10.68.050 Design guidelines.

All development in the M-1 Zone shall be designed consistent with the requirements contained in Chapter 10.76, Industrial District Design Guidelines.

SECTION III: Chapter 10.72 of Title 10 of the Tulare Municipal Code is revised to now read as follows:

CHAPTER 10.72: HEAVY INDUSTRIAL DISTRICT

Section

10.72.010 Purpose.

10.72.020 Objectives.

10.72.030 Permitted and conditional uses.

10.72.040 Development standards.

10.72.050 Design guidelines.

§ 10.72.010 Purpose.

The purpose of the Heavy Industrial (M-2) District is to provide locations for heavy industrial uses unsuited to other locations in the community; protect industrial areas from the intrusion of incompatible types of land uses; adhere to performance standards provided for the protection of Tulare residents and the environment, and to provide industrial employment opportunities for residents of the City of Tulare.

§ 10.72.020 Objectives.

The objectives of the M-2 District are:

(A) The development of a variety of heavy industrial uses, which are not suited to other commercial zones, in buildings and complexes that exhibit high standards of design, including:

(1) Industrial buildings and complexes which include generous amounts of landscaping; and

(2) Outdoor storage of materials and outdoor repair activities conducted in screened areas.

(B) To ensure that industrial buildings are designed in a manner which minimizes the impact to adjacent non-industrial uses through sensitive design that considers the impacts of noise, traffic and lighting sources; and

(C) To minimize traffic congestion, while providing an efficient circulation system.

§ 10.72.030 Permitted and conditional uses.

See Table 19-1 for a list of permitted and conditionally permitted uses in the M-2 Zone.

§ 10.72.040 Development standards.

The following development standards shall apply to all land and structures within this district.

(A) Site area: the minimum parcel area is 40,000 square feet, except for city water well sites which shall have a minimum parcel size of 1,000 square feet.

(B) Width and depth:

(1) Width: 80 feet, minimum.

(2) Depth: no requirement.

(C) Lot coverage: 75%, maximum.

(D) Front yard: 25 feet, minimum.

(E) Side yard: none, unless the site abuts a residentially zoned parcel in which case the setback shall be 20 feet.

(F) Rear yard: none, unless the site abuts a residentially zoned parcel in which case the setback shall be 20 feet.

(G) Distance between structures: no requirement.

(H) Building height: 75 feet maximum. Accessory structures up to a height of 120 feet may be permitted by administrative approval (see Chapter 10.136, Administrative Approval).

(I) Fences, walls and hedges:

(1) Where an industrially-zoned site adjoins a site that is residentially zoned, a minimum of seven-foot tall solid wall shall separate the industrial development from the adjoining residential district.

(2) The outdoor storage of equipment or materials shall be screened from view with a seven-foot tall fence, wall or chain-link with slats and landscaping.

(3) Monitored electrified security fences may be allowed, subject to administrative approval and the design guidelines set forth in Chapter 10.76.

(J) Off-street parking: off -street parking and loading facilities shall be provided for each use as required in Chapter 10.192, Parking and Loading.

(K) Signs: signs shall be designed consistent with the requirements contained in Chapter 10.188, Signs.

(L) Public improvements: public infrastructure improvements shall be required to adequately serve the project, based on requirements of the City Engineer, including sewer, water, storm drainage lines, curbs, gutters and sidewalks, street paving, street lighting and trash enclosure. These improvements shall be constructed consistent with requirements shown in the City of Tulare Standards and Specifications and shall be installed prior to occupancy of any structures on the site.

(M) Traffic safety area: on corner lots, no fence, wall, hedge, sign or building, shrubbery, mounds of earth or other visual obstruction over 36 inches in height above the nearest street curb elevation shall be erected, placed, planted or allowed to grow within the traffic safety sign area. The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least six feet above the level of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; supporting members of appurtenances to permanent buildings existing on the date of this chapter becomes effective; official warning signs or signals; freestanding pole signs where the post does not exceed 12 inches in diameter and the bottom of the sign board is at least six feet above the level of the intersection.

(N) Landscaping: landscaping shall be required in accordance with Chapter 10.196, Landscaping.

§ 10.72.050 Design guidelines.

All development in the M-2 Zone shall be designed consistent with the guidelines contained in Chapter 10.76, Industrial District Design Guidelines.

SECTION IV: Chapter 10.76 of Title 10 of the Tulare Municipal Code is revised to now read as follows:

CHAPTER 10.76: INDUSTRIAL DESIGN GUIDELINES

Section

10.76.010 Purpose.

10.76.020 Objectives.

10.76.030 Design guidelines.

§ 10.76.010 Purpose.

The purpose of this chapter is to set forth design guidelines for industrial development in Tulare that will work to achieve high standards of project design. These

regulations complement the standard site development regulations listed in the individual zone district chapters. These design regulations are general in nature and may be interpreted with some flexibility in their application to specific projects. Issues addressed in this chapter include site planning, parking and circulation, landscaping, walls, building design, signs and lighting.

§ 10.76.020 Objectives.

- (A) To enhance the visual appearance of new development in the community;
- (B) To promote energy conservation opportunities through increased shading from trees and landscaping;
- (C) To protect property values by maintaining high standards of property development;
- (D) To promote safe and efficient vehicle and pedestrian circulation; and
- (E) To improve the safety and security of the residents and visitors of Tulare.

§ 10.76.030 Design guidelines.

The following guidelines apply to all development occurring within the M districts and are intended to facilitate high quality development that complements the character of Tulare.

- (A) Site design.
 - (1) A variety of building and parking lot setbacks should be provided to avoid long, monotonous building facades and to create diversity.
 - (2) For industrial complexes that include multiple buildings (such as an industrial campus) the placement of structures which creates opportunities for plazas, courts or gardens is encourage. This generates visual interest that is generally absent from square, featureless buildings. Setback areas may be used to provide space for employee lunch/break areas.
 - (3) Where industrial uses are adjacent to non-industrial uses, buffering techniques such as setbacks, screening and landscaping need to be provided to reduce/eliminate any negative impacts of industrial operations.
- (B) Parking and circulation. Important design considerations for parking and circulation include, the location of ingress and egress points, on-site pedestrian and vehicle traffic and circulation patterns and service functions. The purpose is to ensure efficient circulation, safety and visual quality.
 - (1) Site access and internal circulation should be designed in a manner which emphasizes safety and efficiency. Consideration should be given to the separation of employee/customer parking and commercial vehicle operations (trucking, delivery, etc.).

(2) Parking facilities should be designed so that vehicles can move from one area to another on the same site without entering the street. This will work to reduce on-street traffic.

(3) Addressing pedestrian movement in parking lots can improve safety and make parking lots more visually appealing. Separate vehicle and pedestrian circulation systems should be considered in the design of parking facilities. Pedestrian linkages between buildings in multi-structure industrial developments should be strongly emphasized. To improve vehicle circulation, parking aisles should be aligned with vehicle circulation routes.

(4) To improve vehicle circulation, parking access to adjacent sites and improve on-site circulation.

(5) Common driveways are encouraged to provide access to adjacent sites and improve on-site circulation.

(6) Parking areas shall be generously landscaped to provide interior and perimeter treatments.

(7) Parking driveways (access points) should be located as far as possible from street intersections to avoid traffic problems. The number of access points should be limited to the minimum amount necessary to provide adequate circulation.

(8) Large parking lots should be divided into a series of connected smaller lots, to the extent possible. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of large parking areas.

(9) Parking lots should be screened from adjoining streets by the use of low earth berms, walls, landscaping or a combination of these methods.

(10) Industrial sites should be designed to accommodate all parking needs generated by the use. The use of the public street for parking and staging of trucks is not permitted.

(11) Parking lots shall be designed to accommodate solid waste pick-up service without excessive backing-up of service trucks.

(C) Loading facilities.

(1) Loading facilities should be located out of sight of the public-of-way, to the extent possible. Loading docks are most appropriately located at the rear of buildings.

(2) Highly visible loading facilities should be screened from view particularly if it is not possible to locate them at the rear of the building.

(3) Loading facilities should be located so that vehicles are not required to use public streets backing into loading docks.

(D) Landscaping.

(1) Landscaping for industrial uses should be used to define specific areas such as entrances to buildings and parking lots; define the edges of various land uses, provide transition between neighboring properties and provide screening for loading and equipment areas.

(2) Landscaping around the entire base of structures is recommended to soften the edge between the parking lot and the building.

(3) Trees should be located throughout parking lots not simply at the ends of aisles. This will achieve shading requirements and enhance the overall appearance of parking facilities.

(4) Landscaping must be protected from vehicle encroachment by means of raised planting areas, walls and curbs.

(5) Vines and climbing plants integrated on buildings, trellises and perimeter garden walls are recommended, in order to soften the hard appearance of long building walls.

(E) Walls and fences.

(1) Walls are often highly visible part of many projects and their appearance can add or detract from the overall visual quality of a site. To the extent possible, walls should be designed to blend with the overall architectural character of the site, including material, color and texture. Where possible, landscaping should be used to soften the appearance of walls.

(2) Where visible from the public right-of-way, walls should not be blank, long surfaces, but rather should be articulated with intervening pillars, alternating heights, offsetting sections and materials that provide variety, including material texturing (as with plaster treatments).

(3) Screening fences for storage/ equipment/work areas should be compatible with the overall site design. Chain link fencing with slats is acceptable. Exterior storage should be limited to portions of the site least visible to public view.

(F) Building design. As a category of structural types, industrial buildings house a variety of uses, and as such, often present unattractive and monotonous facades. However, there are a variety of design techniques that can be utilized to promote visual variety and facilitate a cohesive, attractive design statement:

(1) Avoid long, blank building facades, particularly on walls visible from the public right-of-way. Facades with varied setbacks are encouraged. If possible, wall planes should not run in one continuous direction for more than 50 feet without an offset.

(2) All elevations to a building should be architecturally treated to avoid monotonous overall design.

(3) Window and doors are key elements of a structures's form and should relate to the scale of the facade on which they appear. Windows and doors can help establish character by their rhythm, spacing and variety. Recessed openings further work to provide depth and contrast on elevation planes.

(4) Berming and associated landscaping can be used at the building edge to reduce structure mass and height along facades.

(5) Metal buildings should be architecturally designed, providing variety and visual interest to the streetscape.

(6) All roof-mounted equipment shall be screened from public view by materials similar to those used in the overall structure. Mechanical equipment should be located below the highest vertical element of the building.

(7) Design elements which are undesirable and should be avoided include:

- (a) Highly reflective surfaces;
- (b) Large blank, unarticulated wall surfaces;
- (c) Exposed, treated block walls;
- (d) Poorly designed mansard roofs on a portion of the roofline;

and

(e) Materials with high maintenance requirements, such as stained wood or shingles.

(G) Signs.

(1) New development should be designed with a precise concept for signage, including provisions for sign placement, sign scale (in relationship to the building) and sign readability.

(2) The design of individual signs should be integrated with building architecture, in terms of materials, colors and texture.

(3) Monument-style signs are the preferred sign type for new development, where possible. This type of sign reduces visual clutter and is more visible to the eye-level of motorists.

(4) The use of individually-cut letter signs, either internally or externally lit is strongly encouraged.

(H) Lighting.

(1) Exterior lighting is encouraged to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, pathways and other work areas.

(2) The design of light fixtures should be architecturally compatible with on-site buildings.

(3) All light fixtures must be shielded to confine the spread of light within the boundaries of the site, particularly where incompatible uses are located in close proximity.

(I) Driveways.

(1) Driveways shall conform to city industrial driveway approach standards.

(2) Driveways designed for heavy truck usage shall not exceed 60 feet in width without approval from the City Engineer.

(3) Minimum separation between on-site driveways shall be 100 feet.

(J) Monitored Electrified Security Fences

(1) Definition: Monitored Electrified Security Fence means a perimeter alarm system with an assembly of battery powered equipment, including but not limited to: a monitored alarm device and energizer which is intended to periodically deliver pulses to a security fence, a battery charging device used exclusively to charge the system's battery, and other integrated components.

(2) The Monitored perimeter security fence system shall transmit a signal to an alarm monitoring business in response to an intrusion or burglary. The system shall not directly connect to or call law enforcement. The business must first verify the alarm event prior to requesting deployment of law enforcement.

(3) The design, construction, and use of Monitored Electrified Security Fences shall be allowed, subject to the following requirements:

(a) IEC Standard 60335-2-76: Unless otherwise specified herein, Monitored Electrified Security Fences shall be constructed and operated in conformance with the specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76, current edition.

(b) Power Source: The energizer for Monitored Electrified Security Fences must be driven by a commercial storage battery not to exceed 12 volts DC. The storage battery is charged by a solar panel.

(c) Perimeter Barrier: Monitored Electrified Security Fences shall be installed behind a minimum five-foot high, maximum seven-foot high, non-electrified perimeter barrier. On all new fencing the minimum of six-foot high shall apply.

(d) Emergency Gate Access: Before a Monitored Perimeter Security Fence is activated, a Knox device shall be approved by the Fire Department. The Knox device will be installed at the main entry gate and fully functional at all times when the Monitored Electrified Security Fence is operational.

(e) Setback: The Monitored Electrified Security Fence shall be setback 4-inches to 12 inches from the non-electrified perimeter barrier.

(f) Height: Monitored Electrified Security Fences shall have a height of 10 feet, or 2 feet higher than the perimeter barrier, whichever is higher.

(g) Warning Signs: Monitored Electrified Security Fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than thirty feet.

(4) It shall be unlawful for any person to install, maintain or operate a Monitored Electrified Security Fence in violation of this Chapter.

SECTION V: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason declared to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VI: This ordinance shall be in full force and effect at 12:01 a.m. on the thirty first day (31) from and after its final passage, adoption and approval.

PASSED, ADOPTED AND APPROVED THIS ____ DAY OF _____, 2021

President of the Council and
Mayor of the City of Tulare

ATTEST:

Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare

AGENDA ITEM: Consent

**CITY OF TULARE
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Engineering Services / Engineering

For Council Meeting of: November 2, 2021

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Adopt Resolution 2021-___ authorizing the Mayor to execute City of Tulare-State of California Freeway Agreement for Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

In conjunction with the International AgriCenter Way / State Route 99 Interchange Project, the existing Freeway Agreement between the City and the State of California dated August 6, 2013 must be updated. The current agreement does not identify an interchange facility located at International AgriCenter Way. Exhibit A for the updated agreement that Council is being asked to approve includes the new interchange at this location. Approval of this agreement is necessary for the International AgriCenter Way / State Route 99 Interchange Project to proceed to construction. A copy of the proposed agreement is included with this staff transmittal.

STAFF RECOMMENDATION:

Adopt Resolution 2021-___ authorizing the Mayor to execute City of Tulare-State of California Freeway Agreement for Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

Submitted by: Michael Miller

Title: City Engineer

Date: October 25, 2021

City Manager Approval: _____

RESOLUTION 2021-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE AUTHORIZING THE MAYOR TO EXECUTE A FREEWAY AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of Tulare desires that construction of the International AgriCenter Way / State Route 99 freeway interchange occur, hereinafter referred to as "Project"; and

WHEREAS, the City of Tulare and the State Department of Transportation are parties to a Freeway Agreement which defines the boundaries of State Route 99 within the City of Tulare's limits; and

WHEREAS, Exhibit A of the existing Freeway Agreement showing the boundaries of the agreement and the interchanges and overcrossings contained therein does not include the International AgriCenter Way / State Route 99 interchange; and

WHEREAS, as a condition of State approval of the Project, it is necessary for the City of Tulare and State Department of Transportation to enter into a revised Freeway Agreement that incorporates the International AgriCenter Way / State Route 99 interchange.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor of the City of Tulare is hereby authorized to execute a revised Freeway Agreement with the State of California Department of Transportation.

PASSED, ADOPTED, AND APPROVED this 2nd day of November, 2021.

**_____
President of the Council and
Ex-Officio Mayor of the City of
Tulare**

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF TULARE)

I, Marc Mondell, City Clerk of the City of Tulare, certify that the foregoing is the full and true Resolution 2021-_____ passed and adopted by the Council of the City of Tulare at a regular meeting held on the 2nd day of November, 2021, by the following vote:

Aye(s) _____

Noe(s) _____ Abstention(s) _____

Dated: _____

MARC MONDELL, CITY CLERK

BY: Roxanne Yoder, Chief Deputy

FREEWAY AGREEMENT

THIS AGREEMENT, made and entered into on this _____ day of _____, 20_____, by and between the STATE OF CALIFORNIA acting by and through the Department of Transportation (herein referred to as “STATE”), and the City of Tulare (herein referred to as “CITY”),

WITNESSETH:

WHEREAS, the highway described above has been declared to be a freeway by Resolution of the California Transportation Commission on January 22, 1948; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated August 6, 2013, relating to that portion of State Highway Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue; and

WHEREAS, a revised plan map for such freeway has been prepared showing the proposed plan of the STATE as it affects streets of the CITY; and

WHEREAS, it is the mutual desire of the parties hereto to enter into a new Freeway Agreement in accordance with the revised plan of said freeway;

NOW, THEREFORE, IT IS AGREED:

1. This Agreement supersedes in its entirety said Freeway Agreement dated August 6, 2013, from 0.5 miles south of Rankin Road to Cartmill Avenue.
2. CITY agrees and consents to the closing of CITY streets, relocation of CITY streets, construction of frontage roads and other local roads, and other construction affecting CITY streets, all as shown on the plan map attached hereto, marked Exhibit A, and made a part hereof by reference.
3. The obligations of STATE and CITY with respect to the funding and construction of the freeway project will always be dealt with in separate Cooperative Agreement(s) between the parties, and any amendments thereto, or Encroachment Permits issued to CITY. The parties responsible for the construction of the freeway shall make any changes affecting CITY streets only in accordance with the plan map attached hereto, marked Exhibit A.
4. The obligations of STATE and CITY with respect to the acquisition of the rights of way required for the construction, reconstruction, or alteration of the freeway and CITY streets, frontage roads, and other local roads will always be dealt with in separate Cooperative Agreement(s) between the parties dated, and any amendments thereto or Encroachment Permits issued to CITY.

5. It is understood between the parties that the rights of way may be acquired in sections or units, and that both as to the acquisition of right of way and the construction of the freeway project, the obligations of STATE and CITY hereunder shall be carried out at such time and for such unit or units of the project as funds are budgeted and made lawfully available for such expenditures.

6. CITY will accept control and maintenance over each of the relocated or reconstructed CITY streets, any frontage roads, and other local roads constructed as part of the project, on receipt of written confirmation that the work thereon has been completed, except for any portion which is adopted by STATE as a part of the freeway proper. If acquired by STATE, CITY will accept title to the portions of such roads lying outside the freeway limits upon relinquishment by STATE.

7. This Agreement may be modified at any time by the mutual consent of the parties hereto, as needed to best accomplish, through STATE and CITY cooperation, the completion of the whole freeway project for the benefit of the people of the STATE and of the CITY.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers.

STATE OF CALIFORNIA
Department of Transportation

TOKS OMISHAKIN
Director of Transportation
By

DIANA GOMEZ
District 06 Director

APPROVED AS TO FORM:

Attorney (State)

CITY OF TULARE
By

MARC MONDELL
City Manager

APPROVED AS TO FORM:

Attorney (CITY)

DRAFT





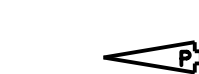
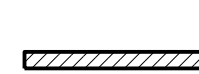
EXHIBIT A

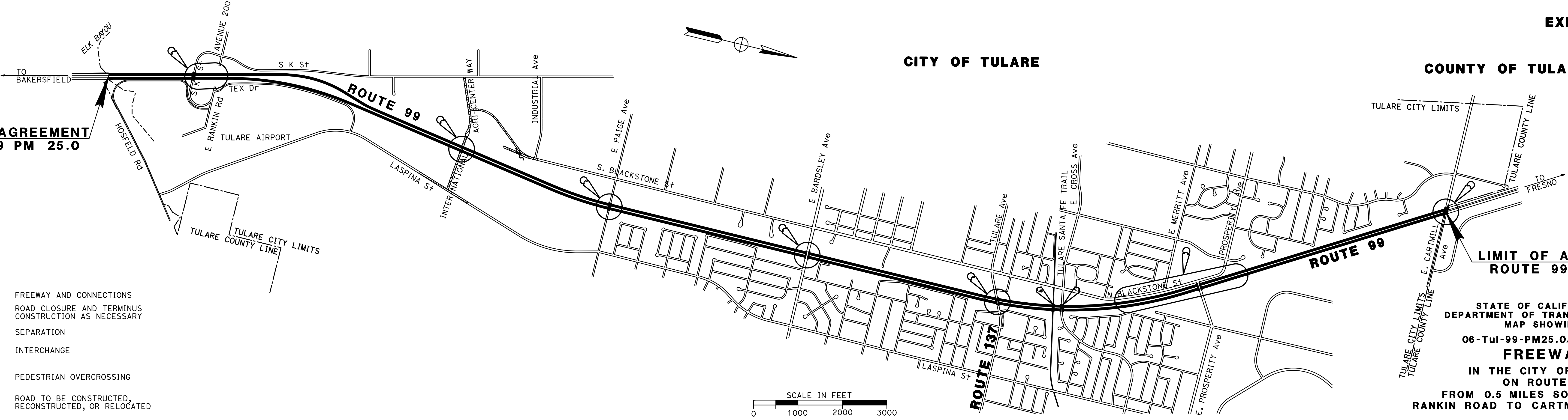
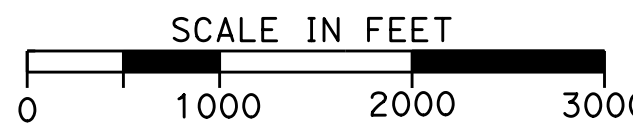
CITY OF TULARE

COUNTY OF TULARE

**LIMIT OF AGREEMENT
ROUTE 99 PM 25.0**

**LIMIT OF AGREEMENT
ROUTE 99 PM 31.8**

- LEGEND**
-  FREEWAY AND CONNECTIONS
 -  ROAD CLOSURE AND TERMINUS CONSTRUCTION AS NECESSARY
 -  SEPARATION
 -  INTERCHANGE
 -  PEDESTRIAN OVERCROSSING
 -  ROAD TO BE CONSTRUCTED, RECONSTRUCTED, OR RELOCATED



STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 MAP SHOWING
 06-Tul-99-PM25.0/ PM31.8
FREWAY
 IN THE CITY OF TULARE
 ON ROUTE 99
 FROM 0.5 MILES SOUTH OF
 RANKIN ROAD TO CARTMILL AVENUE

IN TULARE Co. PM 25.0 / PM 31.8

AGENDA ITEM: Consent

**CITY OF TULARE
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Engineering Services / Engineering

For Council Meeting of: November 2, 2021

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Adopt Resolution 2021-__ authorizing the Mayor and City Manager to execute a Landscape Maintenance Agreement with the State of California for City landscape maintenance district improvements located within the right-of-way of State Routes 63 and 137, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

For new residential developments having frontage on State Routes, the City requires the Developer to dedicate common lot areas along said frontage for the purpose of installing landscaping and block walls. In such cases, the improvements associated with these common lot areas extend into the adjacent State right-of-way. To fund the ongoing maintenance of these improvements, the Developer is required to form a landscape maintenance district (LMD) that provides for the annual levying of assessments to benefitting properties within the development.

Recently, Caltrans staff contacted the City and requested that the City enter into a landscape maintenance agreement with the State documenting the location of City administered LMD's that had improvements that encroached on State right-of-way, and clarifying the City's responsibilities with regard to the maintenance of improvements within their right-of-way. The maintenance responsibilities specified in the agreement are consistent with the level of service already provided by the City through its administration of the LMD's. State Routes identified in the agreement include State Route 63 (Mooney Boulevard north of Tulare Avenue) and State Route 137 (portions of Inyo Avenue, "M" Street, and Tulare Avenue). A copy of the proposed agreement is attached for reference.

STAFF RECOMMENDATION:

Adopt Resolution 2021-__ authorizing the Mayor and City Manager to execute a Landscape Maintenance Agreement with the State of California for City landscape maintenance districts located within State right-of-way of Routes 63 and 137, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

Submitted by: Michael Miller

Title: City Engineer

Date: October 25, 2021

City Manager Approval: _____

RESOLUTION 2021-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A LANDSCAPE MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of Tulare requires that residential developments within the City dedicate common lot areas for landscaping and block wall purposes along any frontage they have along State Routes, and to extend associated improvements into the adjacent street right-of-way; and

WHEREAS, the City of Tulare requires that landscape maintenance districts be formed in conjunction with said residential developments to provide for the annual levying of assessments to fund the maintenance of improvements installed within common lots and adjacent public rights-of-way; and

WHEREAS, as the party responsible for managing the landscape maintenance districts and associated improvements within its jurisdiction, including those improvements located within State right-of-way, it is necessary for the City of Tulare to enter into a Landscape Maintenance Agreement with the State Department of Transportation to identify the City's maintenance responsibilities for improvements located within the public right-of-way of State Routes in the City of Tulare.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor and City Manager of the City of Tulare are hereby authorized to execute a Landscape Maintenance Agreement with the State of California Department of Transportation.

PASSED, ADOPTED, AND APPROVED this 2nd day of November, 2021.

**_____
President of the Council and
Ex-Officio Mayor of the City of
Tulare**

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF TULARE)

I, Marc Mondell, City Clerk of the City of Tulare, certify that the foregoing is the full and true Resolution 2021-____ passed and adopted by the Council of the City of Tulare at a regular meeting held on the 2nd day of November, 2021, by the following vote:

Aye(s) _____

Noe(s) _____ Abstention(s) _____

Dated: _____

MARC MONDELL, CITY CLERK

BY: Roxanne Yoder, Chief Deputy

**LANDSCAPE MAINTENANCE AGREEMENT
WITH THE CITY OF TULARE**

THIS AGREEMENT is made effective this _____ day of _____, 20___, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE" and the City of Tulare; hereinafter referred to as "CITY" and collectively referred to as "PARTIES".

1. The PARTIES hereto mutually desire to identify the maintenance responsibilities of CITY for newly constructed or revised improvements within STATE's right of way.
2. This Agreement addresses CITY responsibility for the landscaping, planting, irrigation systems, control, litter and weed removal, sidewalks, block wall, graffiti removal and parking restriction signs. (collectively the "LANDSCAPING") placed within State Highway right of way on State Routes 63 and 137, as shown on Exhibit A, attached to and made a part of this Agreement.
3. Maintenance responsibilities that includes, but is not limited to, inspection, providing emergency repair, replacement, and maintenance, (collectively hereinafter "MAINTAIN/MAINTENANCE") of LANDSCAPING as shown on said Exhibit "A."
4. The degree or extent of maintenance work to be performed, and the standards, therefore, shall be in accordance with the provisions of Section 27 of the Streets and Highways Code and the then current edition of the State Maintenance Manual.
5. When a planned future improvement is constructed and/or a minor revision has been effected with STATE's consent or initiation within the limits of the STATE's right of way herein described which affects PARTIES' division of maintenance responsibility as described herein, PARTIES will agree upon and execute a new dated and revised Exhibit "A" which will be made a part hereof and will thereafter supersede the attached original Exhibit "A" to thereafter become a part of this Agreement.
 - 5.1. The new exhibit can be executed only upon written consent of the PARTIES hereto acting by and through their authorized representatives. No formal amendment to this Agreement will be required.
6. CITY agrees, at CITY expense, to do the following:
 - 6.1. CITY may install, or contract, authorizing a licensed contractor with appropriate class of license in the State of California, to install and thereafter

will MAINTAIN LANDSCAPING conforming to those plans and specifications (PS&E) pre-approved by STATE.

- 6.2. CITY will submit the final form of the PS&E, prepared, stamped and signed by a licensed landscape architect, for LANDSCAPING to STATE's District Permit Engineer for review and approval and will obtain and have in place a valid necessary encroachment permit prior to the start of any work within STATE'S right of way. All proposed LANDSCAPING must meet STATE's applicable standards.
 - 6.2.1. CITY contractors will be required to obtain an Encroachment Permit prior to the start of any work within STATE's right of way.
 - 6.2.2. An Encroachment Permit rider may be required for any changes to the scope of work allowed by this Agreement prior to the start of any work within STATE's right of way
- 6.3. CITY shall ensure that LANDSCAPED areas designated on Exhibit "A" are provided with adequate scheduled routine MAINTENANCE necessary to MAINTAIN a neat and attractive appearance including providing for water, and fertilizer necessary to sustain healthy plant growth during the entire life of this Agreement.
 - 6.3.1. To prune shrubs, tree plantings, and trees to control extraneous growth and ensure STATE standard lines of sight to signs and corner sight distances are always maintained for the safety of the public.
 - 6.3.2. To replace unhealthy or dead plantings when observed or within 30 days when notified in writing by STATE that plant replacement is required.
 - 6.3.3. To expeditiously MAINTAIN, replace, repair or remove from service any LANDSCAPING system component that has become unsafe or unsightly.
- 6.4. To furnish electricity for irrigation system controls, and lighting system controls for all street lighting systems installed by CITY.
- 6.5. To MAINTAIN, repair and operate the irrigation systems in a manner that prevents water from flooding or spraying onto STATE highway, spraying parked and moving automobiles, spraying pedestrians on public sidewalks/bike paths, or leaving surface water that becomes a hazard to vehicular or pedestrian/bicyclist travel.
- 6.6. To control weeds at a level acceptable to the STATE. Any weed control performed by chemical weed sprays (herbicides) shall comply with all laws,

rules, and regulations established by the California Department of Food and Agriculture. All chemical spray operations shall be reported quarterly (Form LA17) to the STATE to: District 06 Maintenance at 1635 West Pine Avenue, Fresno, CA 93728.

- 6.7. CITY shall ensure LANDSCAPING within the Agreement limits provide an acceptable walking and riding surface, and will provide for the repair and removal of dirt, debris, graffiti, weeds, and any deleterious item or material on or about the LANDSCAPING in an expeditious manner.
 - 6.8. To MAINTAIN all parking or use restrictions signs encompassed within the area of the LANDSCAPING.
 - 6.9. To remove LANDSCAPING and appurtenances and restore STATE owned areas to a safe and attractive condition acceptable to STATE in the event this Agreement is terminated as set forth herein.
7. STATE may provide CITY with timely written notice of unsatisfactory conditions that require correction by the CITY. However, the non-receipt of notice does not excuse CITY from maintenance responsibilities assumed under this Agreement.
 8. STATE shall Issue encroachment permits to CITY and CITY contractors at no cost to them.
9. LEGAL RELATIONS AND RESPONSIBILITIES:
- 9.1. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not party to this Agreement, or affect the legal liability of either PARTY to this Agreement by imposing any standard of care respecting the design, construction and maintenance of these STATE highway improvements or CITY facilities different from the standard of care imposed by law.
 - 9.2. If during the term of this Agreement, CITY should cease to MAINTAIN the LANDSCAPING to the satisfaction of STATE as provided by this Agreement, STATE may either undertake to perform that MAINTENANCE on behalf of CITY at CITY's expense or direct CITY to remove or itself remove LANDSCAPING at CITY's sole expense and restore STATE's right of way to its prior or a safe operable condition. CITY hereby agrees to pay said STATE expenses, within thirty (30) days of receipt of billing by STATE. However, prior to STATE performing any MAINTENANCE or removing LANDSCAPING, STATE will provide written notice to CITY to cure the default and CITY will have thirty (30) days within which to affect that cure.

9.3. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction arising under this Agreement. It is understood and agreed that STATE shall fully defend, indemnify and save harmless CITY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement with the exception of those actions of STATE necessary to cure a noticed default on the part of CITY.

9.4. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction arising under this Agreement. It is understood and agreed that CITY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this Agreement.

9.5. PREVAILING WAGES:

9.5.1. Labor Code Compliance- If the work performed under this Agreement is done under contract and falls within the Labor Code section 1720(a)(1) definition of a "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771. CITY must conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Chapter 8, Subchapter 3, Articles 1-7. CITY agrees to include prevailing wage requirements in its contracts for public works. Work performed by CITY's own forces is exempt from the Labor Code's Prevailing Wage requirements.

9.5.2. Requirements in Subcontracts - CITY shall require its contractors to include prevailing wage requirements in all subcontracts when the work to be performed by the subcontractor under this Agreement is a "public works" as defined in Labor Code Section 1720(a)(1) and Labor Code Section 1771. Subcontracts shall include all prevailing wage requirements set forth in CITY's contracts.

10. INSURANCE

10.1. SELF-INSURED - CITY is self-insured. CITY agrees to deliver evidence of self-insured coverage providing general liability insurance, coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. Coverage shall be evidenced by a certification of self-insurance letter ("Letter of Self-Insurance"), satisfactory to STATE, certifying that CITY meets the coverage requirements of this section. This Letter of Self-Insurance shall also identify the LANDSCAPING locations as depicted in EXHIBIT A. CITY shall deliver to STATE the Letter of Self-Insurance with a signed copy of this AGREEMENT. A copy of the executed Letter of Self-Insurance shall be attached hereto and incorporate as Exhibit B.

10.2. SELF-INSURED using Contractor - If the work performed under this AGREEMENT is done by CITY's contractor(s), CITY shall require its contractor(s) to maintain in force, during the term of this AGREEMENT, a policy of general liability insurance, including coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. Coverage shall be evidenced by a certificate of insurance in a form satisfactory to the STATE that shall be delivered to the STATE with a signed copy of this Agreement.

11. TERMINATION - This Agreement may be terminated by timely mutual written consent by PARTIES, and CITY's failure to comply with the provisions of this Agreement may be grounds for a Notice of Termination by STATE.

12. TERM OF AGREEMENT -This Agreement shall become effective on the date first shown on its face sheet and shall remain in full force and effect until amended or terminated at any time upon mutual consent of the PARTIES or until terminated by STATE for cause.

PARTIES are empowered by Streets and Highways Code Section 114 & 130 to enter into this Agreement and have delegated to the undersigned the authority to execute this

Agreement on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this Agreement.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and seals the day and year first above written.

THE CITY OF TULARE

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
Dennis A. Mederos, Mayor

TOKS OMISHAKIN
Director of Transportation

Initiated and Approved

By: _____
Marc Mondell, City Manager

By: _____
John Liu, Deputy District Director
Maintenance and Operations

ATTEST:

By: _____
Roxanne Yoder,
Chief Deputy City Clerk

By: _____
City Attorney

EXHIBIT A

LANDSCAPE MAINTENANCE AGREEMENT
CITY OF TULARE
EFFECTIVE DATE 12/1/2021

Route	Postmile	Development	Location	Maintenance area
63	0.17/0.34 & 0.39/0.44	Assessment District 2018-02	900 ft n/o Route 137 to 900 ft s/o Seminole Ave and 700 ft s/o Seminole Ave to 350 ft s/o Seminole Ave	Area between the curb and R/W line on the eastside of Route 63
63	0.50/0.68	The Greens & Kcok Ranch	Seminole Ave to Tulare Santa Fe Trail	Area between the curb and R/W line on the eastside of Route 63
63	1.16/1.26 & 1.43/1.83	Del Lago	800 ft n/o Prosperity to 1,300 ft n/o prosperity and 300 ft s/o Bella Oaks Dr. to 900 ft s/o Cartmills Ave	Area between the curb/AC dike and R/W line on the westside of Route 63
63	2.13/2.51	Assessment District 2018-01	750 ft n/o Cartmill Ave to Pacific Avenue	Area between the curb and R/W line on the westside of Route 63
137	13.68/13.77 & 13.78/14.09	Westgate Estate	350 ft w/o Gemini St to 140 ft e/o Gemini St. & 160 ft w/o Maricopa Dr. to 900 ft e/o Maricopa Dr.	Area between the curb and R/W line on the northside of Route 137
137	17.71/17.81	The Greens & Kcok Ranch	Martin St. to 100 ft e/o Hazeltine St	Area between the curb and R/W line on the northside of Route 137
137	17.71/18.21	Palm Ranch, Woodbridge, & Cambridge	Martin St. to 800 e/o Morrison St.	Area between the curb and R/W line on the southside of Route 137
137	17.81/18.01	Farrer Estates	100 ft e/o Hazeltine St to 250 w/o Morrison St.	Area between the curb and R/W line on the northside of Route 137

EXHIBIT B – LETTER OF CERTIFICATE OF CITY OF TULARE STATEMENT OF SELF INSURANCE

Department of Transportation, District 6
1352 W. Olive Avenue
Fresno, CA 93728
ATTN: Daniel Lum

_____20__

CITY OF TULARE
Department of Finance

RE: Statement of Self Insurance for City of Tulare Related to Landscaping Maintenance Agreement with State of California Department of Transportation ("STATE") for the Landscaping along Highway 63 and 137 within the City Limits

Dear Mr. Lum:

The purpose of this letter is to certify that the CITY is self-insured and self-funded covering third-party claims arising out of its general operations (for example, commercial general liability and automobile liability insurance). Further the CITY is self-insured covering workers' compensation claims and has received the consent of the State Department of Industrial Relations to do so.

Each fiscal year, as a part of its budgetary process, the CITY appropriates funds specifically to satisfy valid third-party claims and workers' compensation claims, which may be brought against the CITY.

The CITY certifies its self-insured, general liability coverage for bodily injury liability and property damage liability, meets the required coverage amounts in section 10.1 (INSURANCE) of the Maintenance Agreement, specifically general liability insurance, coverage of bodily injury liability and property damage liability in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. The CITY further represents that regarding any claims made in connection with the Maintenance Agreement by the STATE, the STATE will be first-in-line regarding the reserved, self-insured amounts.

If you need any additional information regarding this letter, please direct those inquires through my office.

Sincerely,

FINANCE MANAGER

**CITY OF TULARE
SUMMARY TREASURER'S REPORT
SUMMARY OF ALL INVESTMENTS
SEPTEMBER 30, 2021**

AGENDA ITEM Consent 6

TYPE OF INVESTMENT	BOOK VALUE	MARKET VALUE	CURRENT YIELD	BOOK VALUE % OF TOTAL
UNRESTRICTED INVESTMENTS - SEE PAGE 2	181,812,865	180,953,156	0.563%	91.86%
RESTRICTED INVESTMENTS - SEE PAGE 3	16,111,950	16,111,950	N/A	8.14%
TOTAL INVESTMENTS	197,924,815	197,065,106	N/A	100.00%

Note: The City's financial statements will report market values, not book values, at June 30 each year.

I certify that this report reflects all City investments and complies with the investment policy of the City of Tulare as approved by City Council. Furthermore, I certify that sufficient investment liquidity and anticipated revenues are available to meet the City's budgeted expenditures for the next six months.

Presented to the City Council on October 26, 2021.

Presented to the Board of Public Utility Commissioners on October 26, 2021.

Respectfully submitted, Darlene J. Thompson, CPA, Finance Director/Treasurer



10-26-21
Date

CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
SUMMARY OF UNRESTRICTED INVESTMENTS
SEPTEMBER 30, 2021

TYPE OF INVESTMENT	ISSUER OF INVESTMENT	DATES:		INTEREST RATES:		BOOK VALUE	UNREALIZED GAIN/(LOSS):	ESTIMATED EARNINGS:	BOOK VALUE
		ACQUISITION	MATURITY	STATED	CURRENT YIELD				
Petty Cash	N/A	N/A	N/A	N/A	None	12,800	N/A	N/A	0.01%
Checking Account - City	Wells Fargo Bank	N/A	N/A	N/A	None	1,432,005	N/A	N/A	0.79%
		On Demand				1,432,005	N/A	N/A	
						Balance per bank is \$1,914,861			
Local Agency Investment Fund (LAIF)	State of California	Various	Various	N/A	N/A	52,500,000	(6,633)	108,150	28.88%
		On Demand		0.206%		52,493,367	4,854	9,013	
Sub-Total									
Fixed Income Investments	Various (See page 4-7)			N/A	N/A	53,944,805	(6,633)	108,150	29.67%
Investments in Salekeeping With BNY Western Trust Company				0.201%		53,938,172	4,854	9,013	
						Per BNY WTC			
						127,868,060	(853,076)	911,485	70.33%
				0.720%		127,014,984	(308,977)	75,957	
TOTAL UNRESTRICTED INVESTMENTS									
						181,812,865	(859,709)	1,019,635	100.00%
						180,953,156	(304,123)	84,970	

* LAIF market values are based on the most currently available amortized cost information - September, 2021; ~ U/I = Unrestricted Investments

**CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
SUMMARY OF RESTRICTED INVESTMENTS
SEPTEMBER 30, 2021**

TYPE OF INVESTMENT	ISSUER OF INVESTMENT	ACQUISITION DATE	MATURITY DATE	STATED INTEREST RATE	PAR VALUE	BOOK VALUE	MARKET VALUE	BALANCES AS OF	
								DATE	DATE
Bond Funds (All are Managed by U.S. Bank Trust Except LAIF):									
2018 Lease Revenue and Refunding Bonds (Account No. 244938000)	U.S. Bank Trust	Various	On Demand	Various Reserve Fund	N/A	2,225,753	2,225,753		09-30-21
First American Govt Fd						2,225,753	2,225,753		
2013 Sewer Revenue Refunding Bonds (Account No. 203701000)	U.S. Bank Trust	Various	On Demand	Various	N/A	5	5		09-30-21
First American Govt Fd						5	5		
2015 Sewer Revenue Refunding Bonds (Account No. 2615940000)	U.S. Bank Trust	Various	On Demand	Various	N/A	14	14		09-30-21
First American Govt Fd						14	14		
Investment Repurchase GIC	Bayerische Landesbank	11-15-15	11-15-25	1.960% Reserve Fund	N/A	5,082,363	5,082,363		09-30-21
2016 Sewer Revenue Refunding Bonds (Account No. 231687000)	U.S. Bank Trust	Various	On Demand	Various	N/A	5,082,377	5,082,377		
U S Bk Mmkt						12	12		09-30-21
2020 Sewer Revenue Refunding Bonds (Account No. 230396000)	U.S. Bank Trust	Various	On Demand	Various	N/A	12	12		
U S Bk Mmkt						16,224	16,224		09-30-21
2017 Water Revenue Bonds (Account No. 219189000)	U.S. Bank Trust	Various	On Demand	Various	N/A	1	1		09-30-21
U S Bk Mmkt						1	1		
2020 Water Revenue Bonds (Account No. 250953000)	U.S. Bank Trust	Various	On Demand	Various	N/A	8,787,575	8,787,575		09-30-21
U S Bk Mmkt						8,787,575	8,787,575		
2017 Successor Agency Tax Allocation Bonds - Series A & B (Account No. 24534600)	U.S. Bank Trust	Various	On Demand	Various	N/A	3	3		09-30-21
U S Bk Mmkt						3	3		
TOTAL BOND FUNDS						16,111,950	16,111,950		
Restricted Insurance Deposits Managed by Fiscal Agents:									
Workers' Comp. Fund (61)	Various	N/A	N/A	Various	N/A	0	0		06-30-20
General Insurance Fund (62)	Various	N/A	N/A	Various	N/A	0	0		06-30-20
				* Adjusted annually		0	0		
TOTAL RESTRICTED INVESTMENTS				8.14%		16,111,950	16,111,950		
			Book Value % of Total Investments =						

* NOTE: Reported as information is made available

CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
FIXED INCOME INVESTMENTS
SEPTEMBER 30, 2021

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE	UNREALIZED GAIN/(LOSS):	ESTIMATED EARNINGS:
		ACQUISITION		STATED					
		MATURITY		CURRENT YIELD					
U.S. GOVERNMENT AGENCY OBLIGATIONS									
Federal Farm Credit Bks Funding Corp	3133ELJ47	06-17-20	**	0.580%		2,000,000	2,000,000	1,980	11,600
Federal National Mortgage Assn	3136G4T52	06-17-24	C	0.580%		2,000,000	2,001,980	4,380	967
Federal National Mortgage Assn	3136G4U50	08-25-20	C	0.520%		2,000,000	2,000,000	(4,860)	10,400
Federal Home Loan Mtg Corp	3134GVVX3	02-25-25	C	0.520%		2,000,000	1,995,140	280	867
Federal Home Loan Mtg Corp	3134GVVX3	08-27-20	C	0.600%		2,000,000	2,000,000	(7,300)	12,000
Federal Home Loan Mtg Corp	3134GVVX3	05-27-25	C	0.600%		2,000,000	1,992,700	(2,740)	1,000
Federal Home Loan Mtg Corp	3134GVVX3	06-03-20	C	0.750%		2,000,000	2,000,000	(2,300)	15,000
Federal Home Loan Mtg Corp	3134GVVX3	05-28-25	C	0.750%		2,000,000	1,997,700	480	1,250
Federal Home Loan Mtg Corp	3134GVVX3	06-10-20	C	0.700%		2,000,000	2,000,000	(8,280)	14,000
Federal Home Loan Mtg Corp	3134GVVX3	06-10-25	C	0.700%		2,000,000	1,991,720	3,920	1,167
Federal Home Loan Banks	3130AJRE1	06-24-20	C	0.750%		868,056	868,056	(1,711)	6,510
Federal Home Loan Mtg Corp	3134GVVX3	06-24-25	C	0.750%		866,345	866,345	(487)	543
Federal Home Loan Mtg Corp	3134GVVX3	06-30-20	C	0.800%		2,000,000	2,000,000	3,700	16,000
Federal Home Loan Mtg Corp	3134GVVX3	06-30-25	C	0.800%		2,000,000	2,003,700	200	1,333
Federal National Mortgage Assn	3136G4YU1	07-15-20	C	0.730%		2,000,000	2,000,000	(4,260)	14,600
Federal National Mortgage Assn	3136G4YU1	07-15-25	C	0.730%		2,000,000	1,995,740	(640)	1,217
Federal National Mortgage Assn	3136G4ZE2	08-26-20	C	0.500%		2,000,000	2,000,000	(7,320)	10,000
Federal Home Loan Mtg Corp	3134GWUJ4	08-26-25	C	0.500%		2,500,000	1,992,680	6,040	833
Federal Home Loan Mtg Corp	3134GWUJ4	09-30-20	C	0.500%		2,500,000	2,500,000	(34,325)	12,500
Federal Home Loan Mtg Corp	3134GWUJ4	09-30-25	C	0.510%		2,500,000	2,465,675	(9,950)	1,042
Federal Home Loan Mtg Corp	3134GWUJ6	09-30-20	C	0.520%		2,500,000	2,500,000	(31,900)	13,000
Federal Home Loan Mtg Corp	3134GWUJ6	09-30-25	C	0.530%		3,000,000	2,468,100	(11,650)	1,083
Federal Home Loan Mtg Corp	3134GWX43	10-02-20	C	0.550%		3,000,000	3,000,000	(36,240)	16,500
Federal Home Loan Mtg Corp	3134GWX43	10-02-25	C	0.560%		2,963,760	2,963,760	(12,270)	1,375
Federal Home Loan Mtg Corp	3134GWXX9	10-15-20	C	0.550%		3,000,000	3,000,000	(37,200)	16,500
Federal Home Loan Mtg Corp	3134GWXX9	10-15-25	C	0.560%		2,962,800	2,962,800	(12,630)	1,375

- CONTINUED ON PAGE 5 -

CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
FIXED INCOME INVESTMENTS, CONTINUED
SEPTEMBER 30, 2021

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE MARKET VALUE	UNREALIZED GAIN/(LOSS): THIS MONTH LAST MONTH	ESTIMATED EARNINGS: ANNUAL THIS MONTH
		ACQUISITION	MATURITY	STATED	CURRENT YIELD				
U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED									
Federal Home Loan Mig Corp	3134GWY34	10-15-20	10-15-25	0.530%	0.543%	3,000,000	3,000,000 2,959,980	(40,020) (10,740)	15,900 1,325
Federal National Mortgage Assn	3135G06A6	10-20-20	10-20-25	0.580%	0.590%	3,000,000	3,000,000 2,970,570	(29,430) (17,550)	17,400 1,450
Federal Farm Credit Bks Funding Corp	3133EMDZ2	10-21-20	10-21-25	0.520%	0.520%	2,500,000	2,500,000 2,476,975	(23,025) (13,475)	13,000 1,083
Federal Farm Credit Bks Funding Corp	3133EMEC2	10-22-20	10-22-25	0.530%	0.530%	2,500,000	2,500,000 2,477,575	(22,425) (13,000)	13,250 1,104
Federal Home Loan Mig Corp	3134GW3X2	10-27-20	10-27-25	0.625%	0.630%	3,000,000	3,000,000 2,969,730	(30,270) (9,270)	18,750 1,563
Federal Home Loan Mig Corp	3134GW3Z7	10-28-20	10-28-25	0.600%	0.610%	2,000,000	2,000,000 1,978,020	(21,980) (7,200)	12,000 1,000
Federal Home Loan Mig Corp	3134GWZL3	10-29-20	10-29-25	0.570%	0.580%	3,000,000	3,000,000 2,963,310	(36,690) (8,820)	17,100 1,425
Federal Home Loan Mig Corp	3134GW6S0	11-10-20	11-10-25	0.610%	0.610%	3,000,000	3,000,000 2,978,670	(21,330) (10,530)	18,300 1,525
Federal Home Loan Mig Corp	3134GXAP9	11-12-20	11-12-25	0.600%	0.600%	2,000,000	2,000,000 1,985,200	(14,800) (7,380)	12,000 1,000
Federal Home Loan Mig Corp	3134GXCSI	11-25-20	11-25-25	0.625%	0.630%	3,000,000	3,000,000 2,982,780	(17,220) (3,270)	18,750 1,563
Federal Home Loan Mig Corp	3136GXFA7	11-30-20	11-26-25	0.650%	0.650%	2,000,000	2,000,000 1,987,180	(12,820) (6,100)	13,000 1,083
Federal Home Loan Mig Corp	3134GXDM3	12-01-20	12-01-25	0.620%	0.620%	1,500,000	1,500,000 1,489,080	(10,920) (5,610)	9,300 775
Federal Farm Credit Bks Funding Corp	3133EMKT8	12-17-20	12-17-25	0.540%	0.550%	2,500,000	2,500,000 2,474,575	(25,425) (14,950)	13,500 1,125

Per BNY WTC

- CONTINUED ON PAGE 6 -

CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
FIXED INCOME INVESTMENTS, CONTINUED
SEPTEMBER 30, 2021

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE		UNREALIZED GAIN/(LOSS):	ESTIMATED EARNINGS:		
		ACQUISITION	MATURITY	STATED	CURRENT YIELD		THIS MONTH	LAST MONTH			ANNUAL	THIS MONTH
U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED												
Federal Home Loan Mtg Corp	3134GXFV1	12-17-20		0.625%		2,000,000	2,000,000	2,000,000	(15,140)	12,500		
		12-17-25	C	0.630%			1,984,860	1,984,860	(7,440)	1,042		
Federal Home Loan Mtg Corp	3134GX1HD9	12-23-20		0.700%		3,000,000	3,000,000	3,000,000	(17,550)	21,000		
		12-23-25	C	0.700%			2,982,450	2,982,450	(7,200)	1,750		
Federal Home Loan Mtg Corp	3134GX1X3	01-05-21		0.550%		2,500,000	2,500,000	2,500,000	(25,375)	13,750		
		01-05-26	C	0.550%			2,474,625	2,474,625	(14,475)	1,146		
Federal Home Loan Mtg Corp	3134GX1Z8	01-07-21		0.520%		2,000,000	2,000,000	2,000,000	(22,200)	10,400		
		01-07-26	C	0.530%			1,977,800	1,977,800	(13,180)	867		
Federal Home Loan Banks	3130AKQ74	01-22-21		0.625%		2,500,000	2,500,000	2,500,000	(21,225)	15,625		
		01-22-26	C	0.630%			2,478,775	2,478,775	(11,350)	1,302		
Federal Home Loan Mtg Corp	3134GXK12	01-22-21		0.550%		2,500,000	2,500,000	2,500,000	(26,700)	13,750		
		01-22-26	C	0.560%			2,473,300	2,473,300	(15,450)	1,146		
Federal Home Loan Banks	3130AKPC4	01-28-21		0.600%		2,000,000	2,000,000	2,000,000	(18,700)	12,000		
		01-28-26	C	0.610%			1,981,300	1,981,300	(10,340)	1,000		
Federal National Mortgage Asso.	3135G06R9	01-28-21		0.550%		2,000,000	2,000,000	2,000,000	(21,600)	11,000		
		01-28-26	C	0.560%			1,978,400	1,978,400	(12,460)	917		
Federal Home Loan Banks	3130AL3S1	02-17-21		0.625%		3,000,000	3,000,000	3,000,000	(31,080)	18,750		
		02-17-26	C	0.630%			2,968,920	2,968,920	(17,940)	1,563		
Federal Home Loan Banks	3130AKYU4	02-24-21		0.600%		3,000,000	3,000,000	3,000,000	(30,360)	18,000		
		02-24-26	C	0.610%			2,969,640	2,969,640	(17,070)	1,500		
Federal Home Loan Banks	3130ALCW2	02-25-21		0.625%		3,000,000	3,000,000	3,000,000	(25,980)	18,750		
		02-25-26	C	0.630%			2,974,020	2,974,020	(12,390)	1,563		
Federal Home Loan Banks	3130AKZ25	02-26-21		0.650%		3,000,000	3,000,000	3,000,000	(28,050)	19,500		
		02-26-26	C	0.650%			2,971,950	2,971,950	(13,410)	1,625		
Federal Home Loan Banks	3130ALFS8	03-10-21		0.800%		3,000,000	3,000,000	3,000,000	(15,240)	24,000		
		03-10-26	C	0.800%			2,984,760	2,984,760	(5,670)	2,000		

**

Per-BNY WTC

- CONTINUED ON PAGE 7 -

CITY OF TULARE
SUMMARY TREASURER'S REPORT, CONTINUED
FIXED INCOME INVESTMENTS, CONTINUED
SEPTEMBER 30, 2021

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE		UNREALIZED		ESTIMATED EARNINGS:
		ACQUISITION	MATURITY	STATED	CURRENT YIELD		THIS MONTH	LAST MONTH	THIS MONTH	ANNUAL	
U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED											
Federal Home Loan Banks							Per BNY WTC				
	3130ALKQ6	03-30-21		1.030%		2,500,000	2,500,000	6,025	25,750		
		03-30-26	C	1.030%			2,506,025	725	2,146		
Federal Home Loan Banks	3130ALXVI	04-22-21		1.100%		2,500,000	2,500,000	2,800	27,500		
		04-22-26	C	1.100%			2,502,800	9,775	2,292		
Federal Home Loan Banks	3130AMWU2	06-30-21		1.000%		3,000,000	3,000,000	(8,730)	30,000		
		06-30-26	C	1.000%			2,991,270	240	2,500		
Federal Home Loan Banks	3130AN2L3	07-13-21		1.020%		3,000,000	3,000,000	(8,280)	30,600		
		07-13-26	C	1.020%			2,991,720	(660)	2,550		
Federal Home Loan Banks	3130AN4R8	07-29-21		1.125%		3,000,000	3,000,000	(3,990)	33,750		
		07-29-26	C	1.130%			2,996,010	1,860	2,813		
Federal Home Loan Banks	3130ANFT2	08-24-21		1.050%		3,000,000	3,000,000	(4,080)	31,500		
		08-24-26	C	1.050%			2,995,920	120	2,625		
Federal Home Loan Banks	3130ANLZ1	08-26-21		0.900%		2,500,000	2,500,000	(13,050)	22,500		
		08-26-26	C	0.900%			2,486,950	(200)	1,875		
Federal Home Loan Banks	3130ANM56	08-27-21		1.050%		2,500,000	2,500,000	(2,775)	26,250		
		08-27-26	C	1.050%			2,497,225	500	2,188		
Federal Home Loan Banks	3130ANUX6	09-28-21		1.100%		3,000,000	3,000,000	300	33,000		
		09-28-26	C	1.100%			3,000,300	0	2,750		
Federal Home Loan Banks	3130ANXS4	09-28-21		0.900%		3,000,000	3,000,000	(28,650)	27,000		
		09-28-26	C	0.910%			2,971,350	0	2,250		
Federal Home Loan Banks	3130ANXU9	09-30-21		1.000%		3,000,000	3,000,000	(9,750)	30,000		
		09-30-26	C	1.000%			2,990,250	0	2,500		
Federal Home Loan Banks	3130ANYR5	09-30-21		1.100%		2,500,000	2,500,000	(7,325)	23,750		
		09-30-26	C	1.100%			2,492,675	0	1,979		
Government National Mortgage Association II Pool		01-24-94		8.500%		N/A		0	0		
	36202AHH3	09-20-22		8.450%				0	0		
TOTAL FIXED INCOME INVESTMENTS				N/A		N/A	127,868,060	(853,076)	911,485		
All are in safekeeping with BNY Western Trust Company				0.720%			127,014,984	(308,977)	75,957		

**CITY OF TULARE
TREASURER'S EXECUTIVE SUMMARY
SEPTEMBER 30, 2021**

CHANGES IN BALANCES AND YIELDS:

CATEGORY	BOOK VALUE		CHANGE	AVERAGE STATED YIELD	
	SEPTEMBER	AUGUST		SEPTEMBER	AUGUST
Total Investments	197,924,815	194,391,231	3,533,584	N/A	N/A
	<u>197,065,106</u>	<u>194,087,108</u>	<u>2,977,998</u>		
	(859,709)	(304,123)	(555,586)		
Unrestricted Investments	181,812,865	177,618,184	4,194,681	0.563%	0.040%
	<u>180,953,156</u>	<u>177,314,061</u>	<u>3,639,095</u>		
	(859,709)	(304,123)	(555,586)		
Restricted Investments	16,111,950	16,773,047	(661,097)	N/A	N/A
	<u>16,111,950</u>	<u>16,773,047</u>	<u>(661,097)</u>		
	0	0	0		
Local Agency Investment Fund (LAIF)	52,500,000	58,500,000	(6,000,000)	0.206%	-0.015%
	<u>52,493,367</u>	<u>58,504,854</u>	<u>(6,011,487)</u>		
	(6,633)	4,854	(11,487)		
Fixed Income Investments (Total)	127,868,060	116,368,066	11,499,994	0.720%	0.030%
	<u>127,014,984</u>	<u>116,059,089</u>	<u>10,955,895</u>		
	(853,076)	(308,977)	(544,099)		

TRANSACTIONS (BOOK VALUE): *

CATEGORY	SALES / CALLS	PURCHASES
Fixed Income Investments	Fixed Income Investments	
Federal Home Loan Banks, 1.10%	Government National Mortgage Assn. Pool	3,000,000
Federal Home Loan Banks, .90%		3,000,000
Federal Home Loan Banks, 1.00%		3,000,000
Federal Home Loan Banks, .95%		2,500,000
		<u>11,500,000</u>
		<u>6</u>

**CITY OF TULARE
INVESTMENTS BALANCE AND YIELD HISTORY FOR EIGHT MONTHS
SEPTEMBER 30, 2021**

BALANCES: CATEGORY	BOOK VALUE MARKET VALUE DIFFERENCE											
	JULY 2021	JUNE 2021	MAY 2021	APRIL 2021	MARCH 2021	FEBRUARY 2021	JANUARY 2021	DECEMBER 2020				
Total Investments	193,102,032	185,651,009	183,345,376	182,040,964	176,385,037	175,336,814	171,613,614	167,922,412				
	192,861,324	184,691,617	182,620,695	180,971,540	174,778,137	174,419,442	171,568,555	168,066,682				
	(240,708)	(959,392)	(724,681)	(1,069,424)	(1,606,900)	(917,372)	(45,059)	144,270				
Unrestricted Investments	174,872,483	168,878,084	165,253,462	164,234,335	156,852,141	157,485,777	153,396,095	147,955,143				
	174,631,775	167,918,692	164,528,781	163,164,911	155,245,241	156,568,405	153,351,036	148,099,413				
	(240,708)	(959,392)	(724,681)	(1,069,424)	(1,606,900)	(917,372)	(45,059)	144,270				
Restricted Investments	18,229,549	16,772,925	18,091,914	17,806,629	19,532,896	17,851,037	18,217,519	19,967,269				
	18,229,549	16,772,925	18,091,914	17,806,629	19,532,896	17,851,037	18,217,519	19,967,269				
	0	0	0	0	0	0	0	0				
Local Agency Investment Fund (LAIF)	55,500,000	48,700,000	27,200,000	37,700,000	32,500,000	40,000,000	43,500,000	45,500,000				
	55,504,605	48,704,041	27,234,540	37,747,873	32,541,270	40,090,853	43,598,802	45,603,345				
	4,605	4,041	34,540	47,873	41,270	90,853	98,802	103,345				
Fixed Income Investments (Total)	116,868,073	115,368,141	137,368,153	125,868,164	120,368,174	115,868,185	107,868,196	101,366,032				
	116,622,760	114,404,708	136,608,932	124,750,867	118,720,004	114,859,960	107,724,335	101,406,957				
	(245,313)	(963,433)	(759,221)	(1,117,297)	(1,648,170)	(1,008,225)	(143,861)	40,925				

AVERAGE STATED YIELDS:

Unrestricted Investments	0.534%	0.540%	0.638%	0.591%	0.573%	0.587%	0.610%	0.654%				
Restricted Investments	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
Local Agency Investment Fund (LAIF)	0.221%	0.262%	0.315%	0.339%	0.357%	0.407%	0.458%	0.540%				
Fixed Income Investments (Total)	0.690%	0.690%	0.710%	0.670%	0.650%	0.660%	0.710%	0.710%				

AGENDA ITEM: Consent

**CITY OF TULARE, CA
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Fire

For Council Meeting of: November 2, 2021

Documents Attached: Ordinance Resolution Staff Report Other

AGENDA ITEM:

Authorize the transfer of funds from the Fire Radio Replacement CIP fund to purchase 10 Bendix King BKR 5000 radios and accessories, from Vincent Communications, Inc. through Bendix King, CA NASPO contract 7-16-58-15 and will not exceed \$24,510.00.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

The Tulare Fire Department seeks to replace outdated radios that are 16 years old and do not meet P25 compliance. An application to the Assistance to Firefighter Grant (AFG) for \$178,137 to replace all of the handheld and mobile radio was denied.

The City annually transfers funds to the fire radio replacement account in order to replace radios. Last year the City purchased six BKR 5000 radios using this fund. The purchase of additional 10 radios will provide all of our division chiefs and captains with new radios. In future years, with annual transfers to the replacement fund, City will be able to replace all radios for our engineers, firefighters and apparatus.

STAFF RECOMMENDATION:

Authorize the transfer of funds from the Fire Radio Replacement CIP fund to purchase 10 Bendix King BKR 5000 radios and accessories, from Vincent Communications, Inc. through Bendix King, CA NASPO contract 7-16-58-15 and will not exceed \$24,510.00

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A
Account: 623-4623-7604

Signed: Doyle Sewell

Title: Fire Chief

Date: 10/25/2021

City Manager Approval: _____



COMMUNICATIONS, INC.

5773 E. Shields Ave.
Fresno, CA 93727

559-292-7010
559-292-7132 Fax

Quote To: **Tulare City Fire Dept**
800 South Blackstone St
Tulare, CA 93275

(559) 684-4366

rroberts@tulare.ca.gov

rodnieroberts@gmail.com

Quote

Customer No.: TULARE FIRE

Quote No.: 51393

Ship To: **Tulare City Fire Dept**
800 South Blackstone St
Tulare, CA 93275

Date	Ship Via	F.O.B.	Terms	
10/08/21	CUSTOMER PICKUP	Origin	Net 30	
Purchase Order Number	Sales Person		Required	
	Scott V		10/08/21	
Quantity	Item Number	Description	Unit Price	Amount
Required	Shipped	B.O.		

Attn: Rodnie Roberts

(NASPO Contract Pricing)

10	BKR5000-T3YC-1	BK BKR5000 Tier III VHF Top/ Front Display FullKeypad GPS Bluetooth-Yellow Case w/Clip	1600.00	16000.00
10	BKR0810GPS	VHF 136-174 SMA GPS Antenna for BKR Series	51.55	515.50
19	BKR0101	Smart 4900mAh Li-Ion Battery for BKR Series	148.85	2828.15
10	BKR0203	IP68 Submersible Speaker Mic 3.5mm Jack & Top Emergency for BKR Series	210.22	2102.20
3	EC6M-BK3	Endura EC Six Bank Rapid Rate Desktop Charger with BKR5000 Series Cups	389.00	1167.00

Quote subtotal 22612.85
Sales tax @ 8.35000% 1888.17

Quote total 24501.02

Thank You

AGENDA ITEM: Gen Bus Eng 1a

**CITY OF TULARE, CA
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Engineering Services / Project Management

For Council Meeting of: November 2, 2021

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Provide direction to staff regarding the funding of utility relocation and undergrounding for Project EN0084, a street and utility improvement project on Pleasant Avenue, with staff's recommendation being the use of CPUC Rule 20B funds. Approve the revised project budget reflecting the use of this funding source.

IS PUBLIC HEARING REQUIRED: Yes No

SUMMARY:

Project EN0084 is a City CIP approved and budgeted street and utility improvement project currently under construction on Pleasant Avenue between Cromley Street and H Street. Relocation and undergrounding of the existing overhead utilities are required for construction of the intersection improvements at Pleasant Avenue and West Street.

Beginning in February 2020, the City requested that SCE design the utility undergrounding portion of the project and notified SCE of the City's intent to utilize California Public Utility Commission Rule 20A work credits. The first three phases of the six phase project are completed and the intersection work requiring the undergrounding of utilities is set to begin in January 2022. However, in June, 2021, SCE notified City staff that they had not designed the undergrounding portion of the construction project in a manner that allows for Rule 20A funds to be used, thus creating an unanticipated funding gap of approximately \$700,000. SCE further noted that any projects utilizing Rule 20A funds typically require a 3-5 year lead time.

Since June, 2021, City staff has pursued parallel paths attempting to both salvage the use of Rule 20A work credits and to identify alternative design or funding options that would address the unexpected \$700,000 shortfall if unsuccessful. However, it is now the reluctant conclusion that SCE will not deviate from their position that Rule 20A program requirements cannot be expedited to meet the City's project deadlines to underground the utilities at Pleasant Avenue and West Street. As a result, staff requests that the City Council consider alternative funding options to complete the project, as described in the following staff report.

BACKGROUND/EXPLANATION:

Project EN0084 is a street and utility improvement project currently under construction on Pleasant Avenue between Cromley Street and H Street. The project is reconstructing the street section and includes ADA compliance improvements to intersection curb returns, drive approaches and alley/sidewalk intersections that fall within the project limits. Additionally, it addresses necessary water, sewer and storm drain improvements within those limits. The

need for the project was identified through the City's Pavement Management System and the review of the condition of the City's utility infrastructure. The project was included and approved as a part of the City's 2017-2022 transportation and utility CIP program budget. Following is a brief synopsis of milestones leading up to project construction:

- June 19, 2018 – City Council approved the award of a design contract for Project EN0084 to Provost & Pritchard Engineering
- June 21, 2018 – BPU approved the award of a design contract for Project EN0084 to Provost & Pritchard Engineering
- July 16, 2019 – A presentation is made to City Council regarding roundabout and traffic signal alternatives for the intersection of Pleasant Avenue and West Street.
- June 18, 2019 – Council provided additional opportunity to receive public testimony regarding the roundabout and traffic signal design alternatives at Pleasant Avenue and West Street. Following discussion, Council gave direction to proceed with setting up the intersection for a future traffic signal installation.
- August 20, 2019 – Council approved a contract amendment with Provost & Pritchard Engineering for additional design services associated with realigning the intersection of Pleasant Avenue and West Street to accommodate a future traffic signal.
- September 5, 2019 – BPU approved contract amendment.
- November 7, 2019, City Council approved a second contract amendment with Provost & Pritchard for additional water and sewer line replacements.
- February 27, 2020 – City staff meet with utility companies (SCE, AT&T, City of Tulare) regarding the project scope. At the meeting, the City's intention to utilize its Rule 20A work credits was discussed.
- February 28, 2020 – An email from City Project Manager, Jim Funk, is sent to the attendees of the meeting held on February 27, 2020, includes SCE's local planner Paul Violet. The email provides written confirmation of the City's intent to utilize the Rule 20A Program to relocate and underground overhead utilities.
- March 16, 2021, City Council held a public hearing regarding the formation of an underground utility district to facilitate the underground relocation of overhead utility lines on West Street at Pleasant Avenue to enable the City to utilize our available SCE Rule 20A work credits. Following the public hearing, Council approved the resolution forming the UUD.
- May 4, 2021, Council awarded contracts for construction, construction surveying, materials testing and construction inspection.

Construction of the project commenced in June of 2021. The project was divided into six work phases. The contractor has completed the first three phases and is currently working on the fourth. Improvements to the intersection of Pleasant Avenue and West Street are included in the sixth (and final) phase, which is anticipated to be completed around April 2022. Relocation and undergrounding of the existing overhead utilities within the UUD formed on March 16, 2021 are required for construction of the intersection improvements.

On February 27, 2020, City staff held a utility coordination meeting with SCE and AT&T in which the project scope and the City's intent to utilize its available work credits through the California Public Utility Commission's Rule 20A Program was discussed. The Rule 20A Program is essentially a utility credit program, a financial program that provides "credits" to a local government. Each utility (i.e., SCE) is given an allotment of credits to distribute to its respective municipalities every year. These Rule 20A credits enable the municipality and utility to work on qualified projects with the utility responsible for the planning, design, and construction aspects of removing overhead infrastructure and placement in an underground trench. The utility is compensated for project costs by collecting the municipality's accumulated credits and including them in subsequent general rate cases so that the electric rates charged to all customers within their service territory will cover the submitted Rule 20A expenses. The City currently has a balance of \$564,518 of Rule 20A work credit accumulated. City staff followed up the February 27th meeting with an email to SCE confirming the meeting's discussions, including the City's intention to utilize the Rule 20A program. For the following 15 months, City staff continued to work with our local SCE planner with the shared understanding that the project was to utilize Rule 20A funds.

On June 3, 2021, City staff was informed that efforts to coordinate the design and construction of the utility relocations through the local SCE office were not in keeping with the requirements for a Rule 20A project, and that in order to be eligible to utilize Rule 20A funds the project would have to go through SCE's Rule 20A Division located in Ventura. Representatives from that Division informed the City that the process typically takes 3-5 years. Recognizing that this would in no way meet the City's timeframe for construction, SCE staff agreed to look into what could be done to expedite the Rule 20A process. In the meantime, the local SCE planner suggested that he could complete a relocation design that would utilize Rule 20B funding as a fallback solution. The Rule 20B program differs in that the City would arrange to have its contractor install underground conduit and vaults, and SCE would come in afterwards to pull their wire and remove overhead lines. The City would be required to identify an alternative funding source to the Rule 20A work credits to pay for the relocation and undergrounding. It is estimated that \$700,000 of funding would be needed, which would come from some combination of Gas Tax revenues or Measure R local discretionary funds.

On September 13, 2021, City staff received confirmation that the expedited timeline that SCE could provide for completing a Rule 20A project would be approximately 11 months: 4-6 months to complete design, 1 month to bid the project, and a four months to complete construction. This clearly will not fit into the City construction schedule.

A thorough review of prior communications between City and SCE staff was conducted in an effort to identify where the process of completing the project under the Rule 20A Program failed. A copy of the findings of that review is attached to this transmittal. Staff's conclusion is that there was significant confusion regarding the requirements of the Rule 20A Program, with a major contributing factor being that SCE's own local planning staff was inadequately informed on the required processes. By the time the City received confirmation of the requirements and program timelines, it was already too late to take corrective actions to meet the project construction schedule.

At this time it is recommended that Council direct staff to abandon efforts to secure Rule 20A work credits for the undergrounding of overhead utilities at the intersection of Pleasant Avenue

and West Street and proceed with the project under SCE's Rule 20B program. Staff currently believes that additional funding can be found in the City's existing CIP Program to cover the additional expenditures associated with the loss of Rule 20A work credits without adversely impacting programmed projects. However, any future cost overruns in other programmed projects could change this, resulting delay to one or more of those projects.

STAFF RECOMMENDATION:

Provide direction to staff regarding the funding of utility relocation and undergrounding for Project EN0084, a street and utility improvement project on Pleasant Avenue, with staff's recommendation being the use of CPUC Rule 20B funds. Approve the revised project budget reflecting the use of this funding source.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

EN0084-040-0202

021 – Measure R - Local

777 – RDA Bond

780 – Water Bonds

615 – Sewer Wastewater CIP

647 – Surface Water Management CIP

Submitted by: Michael Miller

Title: City Engineer

Date: October 26, 2021

City Manager Approval: _____



MEMORANDUM

ENGINEERING SERVICES DEPARTMENT

October 11, 2021

TO: Marc Mondell, City Manager
FROM: Nick Bartsch, Senior Project Manager
SUBJECT: Project EN0084 (Pleasant Avenue Improvement Project) – Funding of utility relocation and undergrounding using Rule 20A Program

The following is the result of my investigation into communications between City staff and Southern California Edison (SCE) staff regarding the City's intention to utilize Rule 20A work credits for the relocation and undergrounding of overhead utilities necessary for City Project EN0084. In review of several thousand emails, nearly 150 specifically related to SCE on the project, I've prepared the following timeline and some of the email chains to provide back-up information for reference. I haven't listed everything, but have tried to provide enough to show the City did our due diligence in this process. In general, the City and its Consultant Engineer intentionally communicated and tried to confirm much of the correspondence in writing, however, this was not always the case with SCE. Many requests went unanswered, or were followed up by verbal communications.

In summary, based on what I recall and can gather from email correspondence, the City met with the utility companies (including our local planning representative from Southern California Edison – Paul Violet) in **February of 2020**. In that meeting, we reviewed the requirements of the project and stated that the City would like to pursue undergrounding of the existing overhead utilities at the intersection of Pleasant Avenue and West Street, specifically utilizing the City's available work credits through SCE's Rule 20A Program. From that point, after clarifying with Paul Violet that this work under the Rule 20A Program could be done locally and within the desired timeframe of our project, we proceeded with the design (and ultimately commenced construction) of the City's project and the coordination of the utility undergrounding with the understanding by all parties that we would utilize the City's Rule 20A funding. As shown in the timeline below, the City spent a significant amount of time and effort facilitating the limits of the proposed Underground Utility District (UUD) and obtained input from all utility companies to ensure the limits would meet the needs of each utility, specifically SCE as it related to additional right of way, existing and proposed easements, etc. During this time, in addition to working with Paul Violet, the City also contacted and worked with SCE Right-of-Way Coordinator, Cindy Calemno (**August 2020**) regarding the requirements of the Rule 20A UUD regarding necessary right of way acquisition. At that time, there was no cost or time estimate provided for our proposed Rule 20 utility improvements. Not having much, or any recent experience with Rule 20A projects, and based off of other similar (non-Rule 20A) undergrounding projects, the City assumed its current balance of Rule

20A funds and timeframe for this work was adequate for the project. The City consistently worked in good faith with SCE through the design process, constantly requesting timeframes, status updates, and projections without any definitive responses. The UUD limits were finalized in **late 2020**, with the formation of the UUD taking place in **March 2021**. Additional right-of-way (ROW) needed for the project and the UUD was acquired. AT&T and Comcast completed their relocation/undergrounding designs and AT&T stated they would not wait for SCE, while Comcast preferred to coordinate their work via a joint trench with SCE.

In late **May 2021**, SCE's local planner, Paul Violet, suggested that we involve SCE's Rule 20A representative, Talisa Lee, in a status update meeting. In **early June 2021**, the City was informed that the Rule 20A cost estimate was \$900k and that the City's work credit balance of \$564k was insufficient to cover the cost. Also, SCE stated that a Rule 20A project would now need to go through SCE's Rule 20A Division based out of southern California, rather than being handled through our local SCE Division (**as had been ongoing for over 15 months**). At that point, due to the potential delay, the City and SCE determined the best course of action would be to develop a Rule 20B design as a *contingency plan*, while the use of the Rule 20A Program was still being pursued. Shortly thereafter, SCE provided confirmation to the City that the Rule 20B design being completed as a contingency plan could be utilized under the Rule 20A Program.

In the continued hope that the Rule 20A Program could be utilized and still meet the City's project construction timeline, City staff met with the County of Tulare to explore options to secure additional Rule 20A funding through their work credit balance to address the shortfall in the City's available work credits. The City continued to work in good faith with SCE, repeatedly inquiring about timeframes and refined estimates to complete the undergrounding under a Rule 20A. Finally, in **late August 2021**, SCE provided the Rule 20B design, with a response regarding timing to convert the design and construct under the Rule 20A Program, given our on-going construction schedule: *"I don't want to guess. However, as long as there is no problems securing easements and the joint utilities are on board or have already undergrounded their services, it shouldn't cause to much stress."* This indicated to the City that the process for the Rule 20A Program on this project would still meet the City's project timeline. At that time a new SCE Project Manager, Misael Ibarra, was assigned to the project and the City was advised that the process and timeline would take a minimum of 11 months to complete construction. Following is a list of pertinent email communications between City and SCE staff, with those most pertinent to the Rule 20A discussions highlighted in yellow:

- **2/27/20** – Meeting with utility companies (SCE, AT&T, City of Tulare) regarding the project scope and initiation to use Rule 20A undergrounding.
- **2/28/20** - Email from City confirming the meeting's discussions and project's intent
- 3/26/20 – Email from City to SCE (*Paul Violet*) regarding review of UUD requirements – ROW pending response
- 4/20/20 - Email from City to SCE (*Paul Violet*) regarding status of rights check to determine necessary ROW needs for UUD
- 6/3/20 – Email from City to SCE (*Paul Violet*) regarding status of UUD design
- 6/11/20 – SCE (*Paul Violet*) provided a very preliminary plan showing ROW requirements for UUD
- **6/15/20** – Email from City to SCE (*Paul Violet*) confirming ROW needs and regarding timeframe (months or years?) – *No written response*

- **7/2/20 – Email from City’s Engineer (Provost & Pritchard) requesting response from SCE (Paul Violet) regarding status and timeline (Expressing urgency, understanding the process may take some time.) – multiple calls to SCE (Paul Violet) – No response from SCE**
- **7/13/20 – Email from City to SCE (Paul Violet) to better understand Rule 20A requirements – Was the Rule 20A to be handed off to Rule 20A group in Southern California? (Based on experience in the past); Draft UUD layout provided to utility companies**
- **8/3/20 – Email from City to SCE (Paul Violet) confirming phone conversation - UUD (20A) could be handled locally, completed prior to City Project, SCE will handle easements, limits of UUD, new service requirements, etc.**
- 8/3/20 – Email from City to SCE (Cynthia Calemno) RE: Project Scope, 20A requirements, etc.
- 8/5/20 – CAD File from City Project provided to SCE (Paul Violet)
- 8/18/20 – Rule 20A – Estimated Balance - \$560k from Cynthia Calemno
- **9/3/20 – Email from City to SCE (Paul Violet) - Request for Time Estimate for UUD (Rule 20A); Need to delay City project? – No response.**
- 10/7/20 – Email from City to all Utilities - Requested any final changes to UUD limits
- 10/20/20 - City began working on the acquisition of additional Right of Way needed for UUD and project improvements
- 11/6/20 – Email from City to SCE (Paul Violet) - Re-requested any final changes to UUD limits (due to no response)
- 12/15/20 – Email from City to SCE (Paul Violet) - Confirmed SCE takes no exception to the limits of the proposed UUD; City moves forward with formal formation of UUD.
- **2/9/21 – Email from City to Utility Companies (Paul Violet and others) with UUD timeline – Any Concerns? – No response.**
- 2/25/21 – Notice of Public Hearing RE: UUD – Published in Newspaper
- **3/3/21 – Email to SCE (Paul Violet) to confirm whether the City’s current balance of 20A funds would be sufficient – Estimate? – No response**
- **3/16/21 – Public Hearing & Establishment of the UUD**
- **3/16/21 – City Project Construction Contract Advertised for Bid**
- 3/19/21 – UUD District Resolution distributed to Utility Companies
- **4/22/21 – City Project Construction Bids – Opened**
- **4/27/21 – City Project – Construction Contracts - Awarded**
- 5/11/21 – City Notification to Utility Companies that City project construction contract was awarded and had opened escrow for the additional ROW needed. (Reminder that the City is not acquiring ROW or an easement for the second parcel nor of the N/W corner)
- 5/11/21 – AT&T confirmed they were not waiting on SCE any longer to joint trench. They would proceed on their own.
- 5/11/21 – Email from SCE (Paul Violet) to AT&T - SCE continued to work on plans, revising design from preliminary layout.
- **5/24/21 – SCE confirmed 2021 Rule 20A Allocation Balance - \$564,518.**

- 5/28/21 – Due to lack of movement and concern over schedule, the City requested a meeting with SCE to discuss status of UUD
- **5/28/21** – SCE (Paul Violet) responded and suggested that Talisa Lee (SCE) attend the meeting to discuss status of Rule 20A.
- **6/3/21** – A ZOOM meeting was held with SCE representatives (Paul Violet, Talisa Lee). This was the first time the City was provided an estimate of \$900k for a Rule 20A on this project (\$340k shortfall from balance). **The City was informed a Rule 20A project would need to now go through SCE's Southern California Rule 20A Division and typically takes 3-5 years; Discussed the potential of expediting and the option of doing a Rule 20B as a contingency plan, if timing was not feasible for a 20A.**
- **6/7/21 – City Project – Construction Started; Anticipated Completion 3/31/22**
- 6/8/21 – Email from SCE (Paul Violet) to City provided an estimated cost to design a Rule 20B
- **6/9/21 – Email from City to SCE (Paul Violet) agreeing to start a Rule 20B design, while the City/SCE continued to pursue 20A. Confirm 20B design can be transferred to 20A? – No response from SCE**
- 6/15/21 – Email from City to SCE (Paul Violet) to follow up regarding Rule 20B design
- **6/15/21** – Email from SCE (Paul Violet, Talisa Lee) to City confirming cost of design and that SCE (Paul Violet) would begin work.
- 6/17/21 – Tulare County confirms openness to loan/trade needed 20A Funds
- **6/21/21** – City received SCE Rule 20A – Rough Order of Magnitude (ROM) letter from SCE (Talisa Lee)
- 7/9/21 – City Request for a ZOOM meeting with Utility companies RE: City project (construction) status pertaining to work on UUD
- 7/27/21 – Zoom Meeting with Edison Regarding Rule 20
- 8/6/21 – Email from City to SCE (Paul Violet) regarding status of Rule 20B design
- 8/6/21 – Email from SCE (Paul Violet) stating the design is still being reviewed
- 8/18/21 – Email from City to SCE (Paul Violet) regarding status of Rule 20B design
- 8/18/21 - Email from SCE (Paul Violet) stating the design is still being reviewed
- **8/18/21** - Email from SCE (Talisa Lee) stating 20A funds would be need to be transferred prior to pursuing project as Rule 20A, but **20B design could be used toward 20A.**
- **8/18/21** – Email from City to SCE (Paul Violet, Talisa Lee) inquiring the time needed to take 20B design to 20A to construction?

(During this time, the City was waiting for the Rule 20B design to be approved, but also waiting on timeframe from SCE regarding the Rule 20A implementation. The City did not want to make a commitment with the County to trade for 20A funds, if the 20A timing would not coincide with the City's project).

- **8/19/21** – SCE Rule 20B Design received by City; City forwarded plans to City's Project Contractor for pricing
- 8/19/21 – SCE (Paul Violet) provided CAD files to provide to SCE's 20A Division

- **8/19/21** – Email from SCE (*Talisa Lee*) regarding timeframe from 20B design to 20A construction – “I don’t want to guess. However, as long as there is no problems securing easements and the joint utilities are on board or have already undergrounded their services, **it shouldn’t cause to much stress.**”
- 8/19/21 – Email from SCE (*Talisa Lee*) stating there is a new Project Manager handling 20A’s, but she would bring him up to speed.
- **8/19/21** – Email from SCE (*Brian Thoburn*) – “Good to see the Talisa is already in the loop....”
- **9/2/21** – Email from City to SCE (*Talisa Lee*) regarding cost Rule 20A cost estimate (using 20B design) in order to finalize agreement with Tulare County to transfer 20A funds – Prior 20A ROM was based on ±40% - **No response**
- **9/13/21** – Email from City to SCE (*Misael Ibarra*) regarding status of estimate and timeframe for completing 20A in order to finalize decision 20A or 20B
- **9/13/21** – Email from SCE (*Misael Ibarra*) stating conversion from 20B to 20A would take at least 6 months, plus bidding, construction, etc. ≈11 months
- **9/13/21** – Email from City to SCE (*Brian Thoburn*) providing a brief history, status of project, and requesting a meeting to discuss options.
- 9/13/21 – Email from SCE (*Brian Thoburn*) to City stating he would be on vacation until 9/28
- 9/30/21 – Phone call and email from City to SCE (*Brian Thoburn*) to coordinate a meeting to discuss status of project and options
- 10/4/21 – Phone Conference with City and SCE to discuss project status and timeframes.

As can be seen, the City’s intent from the very beginning was to utilize Rule 20A funds on this project. It wasn’t until 15 months into the process that we decided it might be smart to consider the Rule 20B route as a contingency plan, while still pursuing completion of the project under the Rule 20A Program. As of August 2021, and possibly as late as mid-September 2021, the use of Rule 20A work credits on this project still seemed feasible even to the SCE representatives we were working with given our project timeline.

Ultimately, as we discussed, at this point, even if SCE was able to severely reduce or eliminate their minimum 4-6 months of “redesign/conversion” from the Rule 20B design to a Rule 20A, their bidding and construction timeframe of another 5 months (best case) would still put the completion of the Rule 20A work well outside of our Project’s construction timeframe. With the City Council’s consent, I believe we can find the funding needed to cover the additional costs to perform this work under a Rule 20B (at the cost to the City) without impacting our current approved CIP program. However, if costs on other projects increase, we may be forced to postpone projects in the future.

I expect to receive an updated cost proposal/estimate from the contractor on our project to perform this work under a Rule 20B as early as tomorrow, but hopefully no later than Monday. Currently, I am estimating this cost, in conjunction with SCE’s costs under Rule 20B, to be in the \$700-750k range. As soon as I know more, I will let you know.

Please let me know if you’d like to discuss further, or if you have any questions.

**CITY OF TULARE
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Engineering Services / Engineering

For Council Meeting of: November 2, 2021

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Receive update regarding the City’s Street & Intersection Naming Policy, discuss the potential request to honor former US Olympians from the City of Tulare, and provide direction to staff as appropriate in accordance with the provisions of said policy.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

Council directed staff to bring an item for their discussion regarding the City’s current policy for the honorary naming of streets and intersections in honor of individuals or organizations that are of particular importance to the City of Tulare or have made significant contributions to improving the quality of life in the City. As part of this discussion, Council members have suggested a potential project for consideration: the naming of the intersection of Tulare Avenue and K Street as “Olympian Square”. A copy of the current street & intersection naming policy is attached for reference.

Per the Street & Intersection Naming Policy, the designation of honorary intersections titles shall be through Council Resolution. Individuals and organizations eligible for recognition shall be sponsored by a councilmember, who shall demonstrate that the proposed honoree has sufficient community support. Evidence of such support includes an affirmative vote of the Planning Commission, written support from community leaders, or citizen petition. Councilmembers are limited to sponsoring two honorary intersection titles per term in office.

To be eligible for recognition with an honorary intersection title, individuals and organizations must meet the following criteria:

- Have performed an exemplary act or achievement of lasting interest to the community, which reflects positively on the City of Tulare as a whole,
- If an individual, is a resident or native of the City or is of particular importance to the City, and
- If an organization, has been in operation for a minimum of 25 consecutive years and has its base of operations in the City or is of particular importance to the City.

The sponsoring councilmember will work with the Community and Economic Development Department in locating an appropriate section of City street or intersection for the honorary intersection title. The intersection or street section shall not exceed one block and not overlap a street section or intersection with another honorary title. Records of the honorary intersection titles are to be maintained by the Community and Economic Development Department.

Funding for the installation of honorary intersection title signs shall be the responsibility of the sponsoring councilmember. The councilmember shall identify, obtain, and make such funds available to the Community and Economic Development Department.

Regarding the proposed naming of the intersection of Tulare Avenue and K Street as "Olympian Square", Council should confirm that the proposal adequately meets the Street Naming Policy's stated intention of honoring an individual or organization. In this case, the intent is to honor multiple individuals who have represented the City and nation by competing in the Olympic Games. In accordance with the Street & Intersection Naming Policy; the following next steps are required:

1. A sponsoring councilmember should be identified,
2. The sponsoring councilmember should provide evidence of community support for the honorary designation, or Council should otherwise make the determination that a majority vote in favor of the designation serves as sufficient evidence,
3. The sponsoring councilmember should identify funding for the installation of honorary intersection title signs, and verify availability of such funds should the honorary designation be approved, and
4. The sponsoring councilmember should request that a Resolution approving the honorary naming of the intersection be placed on a future Council agenda.

STAFF RECOMMENDATION:

Receive update regarding the City's Street & Intersection Naming Policy, discuss the potential request to honor former US Olympians from the City of Tulare, and provide direction to staff as appropriate in accordance with the provisions of said policy.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

Submitted by: Michael Miller

Title: City Engineer

Date: October 25, 2021

City Manager Approval:_____



ADMINISTRATIVE POLICIES

Office of the City Manager

Policy Number	EN-06
Version	2
Effective Date	11/6/2018
Responsible Department	Engineering

TITLE: Street Naming Policy

- New
 Supersedes AP Number 02-02, Version 1, effective 2/6/2001

APPROVAL


City Manager Signature

3/25/2021
Date Approved

1. PURPOSE. The purpose of this policy is to establish uniform guidelines to govern street naming and renaming.
2. POLICY.
 - 2.1. Criteria for Naming and Renaming Streets
 - 2.1.1. Street names must be correct in terms of spelling and grammar.
 - 2.1.2. Street names must be easy to spell, read, and pronounce, so the public, especially children, can speak the name correctly in an emergency.
 - 2.1.3. Proposed street names shall not duplicate, be similarly spelled, or similarly sounding names as existing streets in Tulare or its immediate environs.
 - 2.1.4. Subdivision street names should follow an identified theme (such as tree, cities, wines [Del Lago], etc.).
 - 2.1.5. Within a Master Plan Area or a group of subdivisions within a common area, one street name for any given alignment, whether contiguous or not (a jog of less than 125 feet may be considered the same alignment).
 - 2.1.6. Avoid using the same name on a street after said street has made a 90 degree or more abrupt turn, with the exception of a minor jog where the road continues in substantially the original alignment direction.

- 2.1.7. The dividing line between east-west streets shall be Oaks Street, “J” Street and “K” Street. The dividing line between north-south streets shall be Tulare Avenue.
 - 2.1.8. The Site Plan Review Committee shall review all street names. The committee is made up of representatives of Administration, Planning and Building, Public Works, Engineering, Fire, Police, Redevelopment, and Recreation and Parks Departments.
 - 2.1.9. Conflicts between the Site Plan Review Committee and the subdivider on street name recommendations shall be decided by the Planning Commission.
 - 2.1.10. Streets may be named for the purpose of honoring, or calling attention to, persons or geographical locations having special prominence and significance to the culture or history of the city.
 - 2.1.11. All east-west streets shall be known as “Avenue”, all north-south streets shall be known as “Street”, all curvilinear or diagonal streets shall be known as “Drive”, very short or cul-de-sac streets shall be known as “Court”, “Circle” or “Place”.
 - 2.1.12. Street naming of “private streets” shall adhere to the Street Naming Policy.
- 2.2. Procedures for Naming New Streets
- 2.2.1. The property developer will submit proposed street names at the time of tentative map submittal. Street names shall be selected from the “approved” street name list provided by the City of Tulare. The tentative subdivision map and proposed street names will be reviewed by the Site Plan Review Committee. When appropriate, the Planning Department also may circulate the proposed street names to other interested groups and organizations.
 - 2.2.2. Any appeal must be made to the Planning Commission by an authorized representative of the initiating party within thirty (30) days of the Site Plan Review Committee’s decision.
 - 2.2.3. The Planning Commission will approve or reject the appeal within thirty (30) days of the date the appeal was filed.
- 2.3. Procedures for Renaming Streets
- 2.3.1. To initiate the renaming process, a petition signed by property owners or tenants representing at least two-thirds of the parcels, dwelling units, or businesses located along the affected street must be submitted to the Site Plan Review Committee.

- 2.3.2. A non-refundable application fee, established by the City Council, will be charged to the property owner, group or individual at the time the petition is submitted.
 - 2.3.3. The Planning Department will prepare a staff report after circulating the proposed street name to the city Police, Fire, and Engineering Departments and receiving their input. When appropriate, the Planning Department also may circulate the proposed street name to the Tulare County Planning Department, Tulare County Public Works Department, interested groups and organizations for their input.
 - 2.3.4. A public hearing will be scheduled before the Planning Commission within thirty (30) days of receipt of the petition.
 - 2.3.5. Written notice of time and place of the public hearing shall be given ten (10) days in advance to all property owners and tenants abutting the affected street.
 - 2.3.6. The Planning Commission will approve or reject the proposed street name within thirty (30) days of the public hearing.
- 2.4. Criteria for the Honorary Naming or Renaming of Intersections
- 2.4.1. The City Council may name street intersections or sections of streets not exceeding one block in length in honor and recognition of individuals or organizations that are of particular importance to the City of Tulare or have made significant contributions to improving the quality of life in the City. The honorary naming of intersections under this policy section is separate and distinct from the process for naming or renaming streets provided by this Policy and shall not replace, supersede, or otherwise affect existing names of streets.
 - 2.4.2. Recognition with an honorary intersection title shall be reserved for those individuals and organizations that have performed an exemplary act or achievement of lasting interest to their community, which reflects positively on the City of Tulare as a whole, and:
 - 2.4.2.1. if an individual is a resident or a native of the City or is of particular importance to the City; or
 - 2.4.2.2. if an organization has been in operation for a minimum of 25 consecutive years and has its base of operations in the City or is of particular importance to the City.
- 2.5. Procedures for the Honorary Naming or Renaming of Intersections
- 2.5.1. Honorary intersection titles shall be conferred by Council resolution. No more than two honorary intersection titles may be conferred for each councilmember per term in office. Individuals and organizations eligible

for recognition shall be sponsored by a councilmember, who shall demonstrate that the proposed honoree has sufficient community support. Evidence of such support includes an affirmative vote of the Planning Commission, written support from community leaders, or citizen petition.

2.5.2. The sponsoring councilmember will work with the Community and Economic Development Department in locating an appropriate section of City street or intersection for the honorary intersection title. The intersection or street section shall not exceed one block and not overlap a street section or intersection with another honorary title. Records of the honorary intersection titles are to be maintained by the Community and Economic Development Department.

2.5.3. Funding for the installation of honorary intersection title signs shall be the responsibility of the sponsoring councilmember. The councilmember shall identify, obtain, and make such funds available to the Community and Economic Development Department.

3. REVISION HISTORY

<u>Version #</u>	<u>Date</u>	<u>Approved By</u>
2	11/6/2018	City Council
1	2/6/2001	City Council